

Washington, Saturday, March 18, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration
[FCA Order 400]

PART 3—FUNCTIONS OF ADMINISTRATIVE OFFICERS

OFFICERS OF THE REVOLVING FUND

Sections 3.60 and 3.61, Title 6, Code of Federal Regulations, are amended to read as follows:

§ 3.60 Functions and duties of Director of the Revolving Fund. The Director of the Revolving Fund is authorized and empowered: (a) To accept or reject applications for loans from the Revolving Fund authorized by the Agricultural Marketing Act (46 Stat. 11; 12 U.S.C. 1141-1141j; and Sup.), in whole or in part, and to make commitments therefor; to designate such officers of the Revolving Fund Section as he may deem necessary and to prescribe their authority and duties; to execute, either in person or through such officer as he may authorize, instruments for the release, modification, renewal, or revival of real and chattel mortgages, pledges, and other lien instruments, and such other documents as may be necessary to carry out the functions of his office, and all such documents and instruments heretofore executed are ratified and confirmed; and to perform any and all functions and duties, in accordance with law, which the Governor of the Farm Credit Administration is authorized to perform with respect to the administration of the Revolving Fund Section and of the Agricultural Marketing Act, as amended, except the signing of vouchers for the disbursement of money from the Revolving Fund; and (b) to perform any and all functions and duties,

in accordance with law, which the Governor of Farm Credit Administration is authorized to perform with respect to the administration of the act of March 3, 1932 (47 Stat. 60; 12 U.S.C. 1401-1404), relating to loans to individuals for the purpose of assisting in forming or increasing the capital stock of agricultural credit corporations, livestock loan companies, or like organizations. (E. O. 6084, Mar. 27, 1933, 6 CFR 1.1; Memorandum No. 846 of the Secretary of Agriculture, dated January 6, 1940; Memorandum No. 1086, of the Secretary of Agriculture, dated April 26, 1943)

§ 3.61 Official acts of Treasurer and Assistant Treasurer of the Revolving Fund ratifled. The office of "Treasurer and Disbursing Officer for the Revolving Fund of the Federal Farm Board," created by a resolution of the Federal Farm Board, adopted November 12, 1929, and the office of "Assistant Treasurer and Deputy Disbursing Officer for the Revolving Fund of the Federal Farm Board", created by a resolution of the Federal Farm Board, adopted March 17, 1930, are hereby discontinued. All official acts of said officers (also entitled Treasurer and Assistant Treasurer of the Agricultural Marketing Revolving Fund and Treasurer and Assistant Treasurer of the Revolving Fund) and in particular all instruments executed by the persons occupying said offices, for the release, modification, renewal, or revival of real or chattel mortgages, pledges, or other lien instruments, are hereby ratified and confirmed. (E.O. 6084, Mar. 27, 1933, 6 CFR 1.1; Memorandum No. 846 of the Secretary of Agriculture, dated January 6, 1940; Memorandum No. 1086 of the Secretary of Agriculture, dated April 26, 1943)

[SEAL]

A. G. BLACK, Governor.

[F. R. Doc. 44-3750; Filed, March 17, 1844; 11:19 a. m.]

CONTENTS

REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:	Page
Vesting orders, etc.:	00-0
Bermann, Ludwig B	2952
Bock, Otto Brydon, Lucretia A	2952
Brydon, Lucretia A	2957
Christie, Oscar A Clausen, Hans F	2953
Clausen, Hans F	2953
Datert, Minna	2953
Datert, Minna Etten, Lawrence, vs. Nicholas	
Etten, et al	2958
Etten, et al Frank, Sara M	2953
Goddard, Minna Godwin	2959
Hobitz, Maria	2954
Jacobs, Abraham L	2959
Kokubo, Hisahiko	2954
Tallagger Anton	
Kollegger, Anton Leitz, E., Inc	2959
Leitz, E., Inc.	2962
McInerny, Ella	2954
Neumann, Gustave	2955
North American Mercantile	
Co	2962
Peck, Sally Perry	2969
Rolamoto Grace	2955
Schaefer, Paul	2960
Schnee Sarah	2956
Schaefer, Paul Schnee, Sarah Siepen, Theodore	2960
Straccar Paca	2956
Strasser, Rose Struck, Mary A	-2956
Thi Annia	
Ubl, Annie Van Daventer, Helen	2961
van Deventer, Helen	2957
Walter, J. P. O Wendland, Edward	2957
Wendland, Edward	2961
Annial Industry Bureau:	
Dog, cat, and fox foods; man-	
ner of marking	2939
FARM CREDIT ADMINISTRATION:	,
Functions of administrative of-	
ficers; officers of revolving	
fund	2937
GENERAL LAND OFFICE:	
California, partial revocation of	
withdrawal for use of War	
	2949
	4949
Lidian Affairs Office:	
Crow Irrigation Project, Mont.,	
construction charges on	
Willow Creek Storage	
Works	2950
(Continued on next page)	
2937	



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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index. Book 2: Titles 4-9, with index.

CONTENTS—Continued

1

1

Interstate Commerce Commission:	Page
Potatoes other than sweet,	
transportation in refrigera-	
tor cars	2949
Refrigeration, disregard of re-	
quirements with respect to	
certain shipments:	
Carrots, Chicago, Ill	2951
Lard:	
Chicago, Ill	2952
Richmond, Va	2952
Dan Chianga Ti	
Peas, Chicago, Ill	2951
Potatoes, Chicago, Ill. (2 docu-	
. ments)	2951
NATIONAL PARK SERVICE:	
Great Smoky Mountains Na-	
tional Park, N. CTenn.,	
fishing	2949

CONTENTS—Continued

Office of Defense Transportation: Coordinated operations: Common carriers:	Page
Alabama	2964
Kansas and Missouri	2963
Michigan	2962
Taxicabs:	2002
	0004
Cincinnati, Ohio	2964
Sacramento, Calif	2965
Local carriers of property, rec-	
ommendation for joint ac-	
ommendation for joint ac-	
tion plans	2965
OFFICE OF PRICE ADMINISTRATION:	
Bituminous coal (MPR 120,	
Am. 92)	2945
mill, 94)	4330
Calcium carbide, sales by Rub-	
ber Reserve Company (RSR	
14, Am. 107)	2948
Food, processed; ration stamps	
offective April 1 to Tupe 20	
effective April 1, to June 20,	
1944 (Rev. RO 13, Am. 6 to	
2d Rev. Supp. 1)	2947
Laundries, hand, in New York	
City (MPR 165, Am. 1 to	
City (MIPIC 100, Mill, I to	0040
Supp. Service Reg. 20)	2948
Lumber:	•
Log-run southern pine lumber	
(MPR 19A, Am. 1)	2947
Cotton 2 Intribution and	4541
Softwood, distribution yard	
sales (2d RMPR 215, Am.	
3)	2948
Meat, fats, fish and cheeses; ra-	2010
	•
tion stamps effective Mar.	
26 to June 18, 1944 (RO 16,	
Am. 19 to Rev. Supp. 1)	2948
Paper products, converted	-0-0
	0040
(MPR 359, Am. 4)	2946
Petroleum, crude, petroleum,	
and natural gas (MPR 436,	
Am. 10)	2946
	2540
Regional and district office or-	
der; malt beverages, San	
Antonio, Tex	2966
Shoes, ration free for children	
Shoes, lation free for children	00.45
(RO 17, Am. 54)	2947
Slack staves, knife-cut; slack	
and cooperage (MPR 481,	
Am. 2)	2946
3	2010
PATENT OFFICE:	
Practice followed in certain	
cases, procedure amended	2949
RECLAMATION BUREAU:	
Charles During Trees	
Shoshone Project, Wyo., partial revocation of withdrawal	
revocation of withdrawal	2950
SELECTIVE SERVICE SYSTEM:	
New York, transfer of certain	
Alan form land to and	0000
files from local boards	2967
Solid Fuels Administration for	
War:	
Bituminous coal, accumulation	
of stocks during spring and	
summer months	2940
WAR DEPARTMENT:	
Women's Army Corps, discharge	
of enlisted women found to	
be under 20	

CONTENTS—Continued

War Food Administration: Fertilizer; organic nitrogenous	Page
material (2d Rev. FPO 12,	
Am 1)	2938
Am. 1) Livestock and meat (FDO 75,	4000
Am. 12)	203
Milk handling, Philadelphia,	
Penn., area	2967
Sugar, 1944 prices in Virgin	
Islands	2939
Sugar beets, 1944 wage rates	2938
WAR PRODUCTION BOARD:	
Beds, springs, mattresses, etc. (L-49 and Ints.) (3 docu-	
(L-49 and Ints.) (3 docu-	
ments) 1941, Construction, revocation of	2942
Construction, revocation of	
schedules:	
Angledozers or trailbuilders (L-217, Sch. III)	0040
Bulldozers (L-217, Sch. IV)	2943 2943
Scrapers (I=217, Sch. 17)	2943
Truck mixer-agitators (L-217,	4030
Sch; VI)	2943
Controlled materials plan; ap-	4010
plication for quota increase	
(CMP 5, Dir. 18)	2949
Flags (M-166)	2044
Local carriers, approval of rec-	
ommendation for joint ac-	
tion plans (Cert. 200)	2968
Rectifier tubes (L-264)	2945
Suspension, etc., orders; Chi-	
cago Novelty Co., Inc	2968
Thermometers, industrial	
(L-272, Sch. VII)	2943

TITLE 7-AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

WAGE RATES FOR 1944 CROP OF SUGAR BEETS

Determination of fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1944 crop of sugar beets.

Pursuant to the provisions of subsection (b) of section 301 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.14j Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1944 crop of sugar beets. The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production, cultivation, or harvesting of the 1944 crop of sugar beets if all persons employed on a farm, or part of a farm covered by a separate labor agreement, in the production, cultivation, or harvesting of the 1944 crop of sugar beets shall have been paid in full for all such work and shall have been paid wages at rates not less than the following:

(a) The wage rates agreed upon, but no less than the wage rates specified in paragraph (a) of the "Determination of Fair and Reasonable Wage Rates for Persons Employed in the Production, Cultivation, or Harvesting of the 1943 Crop of Sugar Beets", of April 7, 1943.

(b) The provisions of paragraph (b) of the aforementioned determination of April 7, 1943, shall apply to the 1944 crop, except that subparagraph (3) shall

read as follows:

- (3) That in an instance where the planting of segmented seed reduces the amount of labor required in thinning as compared with whole seed the piece rate for blocking and thinning shall be the rate agreed upon between the laborer and the producer but not less than 75 percent of the piece rate for blocking and thinning prescribed under paragraph (a) of this determination.
- (c) For purposes of this determination, a farm, or part of a farm covered by a separate labor agreement, shall be deemed to be located in the wage district in which the factory where the beets are contracted to be delivered is located.

(Sec. 301, 50 Stat. 909; 7 U.S.C. 1940 ed. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 16th day of March 1944.

Ashley Sellers,
Assistant War Food Administrator.

[F. R. Doc. 44-3747; Filed, March 17, 1944; 11:19 a. m.]

PART 802-SUGAR DETERMINATIONS

PRICES FOR 1944 CROP OF VIRGIN ISLANDS SUGARCANE

Determination of fair and reasonable prices for the 1944 crop of Virgin Islands sugarcane.

Pursuant to the provisions of subsection (d) of section 301 of the Sugar Act of 1937, as amended, and Executive Order 9322, issued March 26, 1943, as amended by Executive Order 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.53b Fair and reasonable prices for the 1944 crop of Virgin Islands sugarcane. Processors who, as producers, apply for payment under the Sugar Act of 1937, as amended, shall be deemed to have complied with the provisions of section 301 (d) of said act, if the requirements specified below have been met:

(a) Purchased sugarcane is paid for at the rate of not less than the f. o. b. mill value of 6 pounds of 96° raw sugar per hundredweight of such sugarcane. The average New York price of 96° raw sugar, for the week (or such other period as may be agreed upon) in which sugarcane was delivered, less all costs involved in the marketing of such sugar (other than bags and bagging, storage in company warehouses, war risk insurance, or

any item of expense incurred in the marketing of such sugar which is reimbursed in whole or in part by the federal government or any agency thereof) shall be deemed as the f. o. b. mill value of such sugar.

(b) There is paid, per hundredweight of purchased sugarcane, an amount equal to one-half of the excess, if any, of the net proceeds derived from the sale of blackstrap molasses produced from a hundredweight of sugarcane of the 1944 crop over the net proceeds from the sale of blackstrap molasses produced from a hundredweight of sugarcane from the 1941 crop.

(Sec. 301, 50 Stat. 910; 7 U.S.C. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 16th day of March 1944.

Ashley Sellers,
Assistant War Food Administrator.

[F. R. Doc. 44-3748; Filed, March 17, 1944; 11:19 a. m.]

Chapter X—War Food Administration (Production Orders)

[2d Rev. FPO 12, Amdt. 1]

PART 1206-FERTILIZER

ORGANIC NITROGENOUS MATERIAL

Paragraph (a) of § 1206.602 of Food Production Order No. 12, Revision No. 2 (8 F.R. 15419), is hereby amended to read as follows:

§ 1206.602 Acquisition and use by fertilizer manufacturers. (a) Subject to the restrictions of paragraphs (b) and (c) of this section, relative to edible oilseed meal and inedible oilseed meal of edible type, each fertilizer manufacturer is authorized to acquire during the period July 1, 1943, to June 30, 1944, organic nitrogenous materials, for use either in the manufacture of mixed fertilizers or for sale and use as unmixed fertilizer material, but the quantity of such material, including any edible oil-seed meal or inedible oilseed meal of edible type, either acquired or used for such purposes, shall not exceed, at each fertilizer mixing plant operated by such manufacturer, 80 percent of the quantity, on a nitrogen unit basis, used at such plant for such purposes during the period July 1, 1941, to June 30, 1942. The quantity of such material on hand on June 30, 1943, in both mixed fertilizer and as unmixed fertilizer material, shall be counted as a part of the quantity of organic nitrogenous material a manufacturer is authorized to acquire.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of March 1944.
Wilson Cowen,
Assistant War Food Administrator.

[F. R. Doc. 44-3751; Filed, March 17, 1944; 11:19 a. m.]

Chapter XI—War Food Administration (Distribution Orders) (FDO 75, Amdt. 12)

PART 1410—LIVESTOCK AND MEATS

SLAUGHTER OF LIVESTOCK AND DELIVERY OF LIFAT

Food Distribution Order No. 75, as amended (8 F.R. 11119, 14503, 15684, 15772, 16353, 16587, 16675, 16887, 17290, 9 F.R. 51, 937, 1499), § 1410.15, issued under the authority of the War Food Administrator on August 9, 1943, is further amended by amending (b) (2) to read as follows:

(2) Any farmer may, without a license or a permit, slaughter swine owned by him and deliver the meat derived therefrom.

This order shall become effective at 12:01 a.m., e. w. t., March 17, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 75, as amended, prior to the effective date of this amendment, all provisions of said Food Distribution Order No. 75, as amended, in effect prior to this amendment shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of March 1944.

Marvin Jones,

War Food Administrator.

[F. R. Doc. 44-3723; Filed, March 16, 1944; 1:23 p. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry (Including Meat Inspection Regulations of the War Food Administration)

[Rev. B. A. I. Order 211, Amdt. 19]

PART 18—REHISPECTION AND PREPARATION OF MEAT AND PRODUCTS

MARRIER OF MARKING DOG, CAT, AND FOX FOODS

Pursuant to the authority conferred upon the War Food Administrator by Executive Order No. 9280, of December 5, 1942 (7 F.R. 10179), and Executive Order No. 9322, of March 26, 1943 (8 F.R. 3807), as amended by Executive Order No. 9334, of April 19, 1943 (8 F.R. 5423), and pursuant to the provisions of the Act of Congress approved March 4, 1907 (21 U.S.C. 71-91, 86; 21 U.S.C. Sup. II, 71), § 18.28, Subchapter A, Chapter I, Title 9, Code of Federal Regulations [Saction 16, Regulation 18, B. A. I. Order 211, Re-

visedl as amended, is hereby revoked, effective immediately.

Done at Washington, D. C., this 16th day of March 1944.

Ashley Sellers,
Assistant War Food Administrator.

[F. R. Doc. 44-3725; Filed, March 16, 1944; 3:44 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT Chapter VII—Personnel

PART 79b—WOMEN'S ARMY CORPS DISCHARGE OF UNDER AGE ENLISTED PERSONNEL

Paragraph (c) (1) of § 79b.3 (8 F.R. 15656) is hereby amended to read as follows:

§ 79b.3 Enlisted personnel. * * *
(c) Discharge—(1) Minority. The discharge of any enlisted women of the Women's Army Corps who is found to be under the age of 20 is mandatory. Discharge will be effected under the provisions of AR 615–360 except that the written request of the parent, guardian, or next of kin for the discharge of the enlisted woman will not be required. The parents, guardian, or next of kin of the enlisted women will be notified of the discharge and the reason therefor. (Act of 1 July 1943, Public Law 110, 78th Congress) [Par. 21a, W.D. Cir. 289, 1943, as amended by W.D. Cir. 96, 7 March 1944]

[SEAL]

J. A. ULIO, Major General, The Adjutant General.

[F. R. Doc. 44-3734; Filed, March 17, 1944; 10:40 a. m.]

TITLE 30-MINERAL RESOURCES

Chapter VI-Solid Fuels Administration for War

[Reg. 10, Amdt. 3]

PART 602—GENERAL ORDERS AND DIRECTIVES

BITUMINOUS COAL

Solid Fuels Administration for War Regulation No. 10 was issued in November 1943 in order to assure that consumers with relatively large stockpiles would during the winter months draw substantially upon such stockpiles so that (1) consumers with relatively small stockpiles, including particularly those consumers whose facilities had prevented them from building protective stockpiles, would be permitted to obtain sufficient currently produced bituminous coal to meet their immediate consumption requirements and to maintain stockpiles adequate to meet emergencies, and (2) a reasonable supply of bituminous coal would be available to retail dealers and household consumers who were dependent upon them for their fuel supply.

In planning the bituminous coal distribution program for the year April 1, 1944 to April 1, 1945, it appears necessary after careful survey of the estimated coal supply and requirements, and after full consultation with representatives of producers, wholesalers, retailers and consumers of bituminous coal to revise Regulation No: 10.

Unless it is arranged so that bituminous coal mines throughout the Nation enjoy full running time during the entire year, a reliable statistical forecast of the supply of and requirements for bituminous coal, as well as the opinions of representatives of producers and industrial consumers, indicates that serious shortages will result. Maximum coal production is imperative and such production cannot be obtained unless industrial consumers, retail dealers and household consumers build up reasonable stocks during the spring and summer months. The failure to do this may result in hardship or suffering next winter.

Because maldistribution would be the result, it is not practicable to suspend entirely the provisions of Regulation No. 10. Variations in the supply of and requirements for bituminous coal produced in different districts necessitate a variance in the revision of Regulation No. 10 for different groups of producing districts.

The amendment makes no change in the Stock Limitation Table applicable to bituminous coal produced in Districts 1. 2, 3, 4, 6, 7, 8 and 13. There is pending for crystallization during the month of March a Solid Fuels Administration for War distribution program involving the allocation of coals produced in these districts for by-product use or for movement to those receiving coal shipped via the Great Lakes. The definite formulation of this program is dependent upon statistics which are in the process of being analyzed. Until the by-product and lake program has progressed further, it does not appear appropriate to modify the existing Stock Limitation Table for these districts. However, in the formulation of the lake and by-product program there will be taken into account the necessity of permitting and encouraging to the maximum extent practicable industrial consumers to build up during the spring and summer reasonable and protective stockpiles of coals from these districts. Indeed, it is anticipated that during the month of April bituminous coal will be available in some of these districts (1, 3, 4, 6 and 13) beyond that which may be normally shipped under the Stock Limitation Table. It is expected that every industrial consumer who can do so will place orders for such additional available coal in accordance with this amendment and § 602.178 of the regulation. It is expected that effective as of May 1, Regulation No. 10 will again be revised so as to relax the Stock Limitation Table applicable to some or all of these districts.

The amendment virtually suspends the Stock Limitation Table in respect to bituminous coal produced in Districts 9, 10 and 11. These districts will shortly

experience losses in running time as a result of insufficient orders upon which to ship potential production unless industrial consumers promptly proceed to build up stockpiles of coal produced in these districts. In order to prevent maldistribution, the amendment prohibits the building up of stockpiles of coals from these districts in excess of 120 days, except upon written permission from the Solid Fuels Administration for War. To the extent that stockpiles are built up beyond 90 days, the amendment gives no assurance that the excess stockpile above 90 days' supply will not have to be drawn upon later in the year at a very rapid rate. The amendment does give assurance, however, that so long as the industrial consumer's stockpile of coals from these districts remains within the range of 40 days' supply to 90 days' supply, the same monthly rate of draw down will apply when it becomes necessary to reinstate a specific Stock Limitation Table. The amendment makes it clear that the industrial consumer who fails to utilize his facilities and opportunities to build up a reasonable stockpile of these coals may experience considerable difficulty in obtaining an adequate fuel supply later in the year.

In respect to Districts 5, 12, 14, 15, 16, 17, 18, 19, 20, 22 and 23, the Stock Limitation Table of the regulation has heretofore not been applicable. The amendment makes no change in this regard.

In respect to special purpose coal, the Stock Limitation Table of the regulation has heretofore not been applicable. The amendment makes no change in this regard.

It is to be expected that industrial consumers who purchase bituminous coal in any district will be ready and willing to receive such coal wherever and whenever that becomes necessary in order to avoid the curtailment of production. It is imperative that industrial consumers cooperate with producers in this respect if the prosecution of the war is not to be hampered by a curtailment of production and the failure of industrial consumers to order and receive every ton of bituminous coal that can be produced over and above what is permitted to be shipped under the Stock Limitation Table of Regulation No. 10.

Accordingly, pursuant to the powers conferred by Executive Order No. 9332 (8 F.R. 5355), Solid Fuels Administration for War Regulation No. 10 (8 F.R. 15773; 8 F.R. 16718; 9 F.R. 720) is amended as follows:

(1) That portion of paragraph (a) of § 602.172 Limitations based on bituminous coal stocks of industrial consumers preceding the Stock Limitation Table and applicable footnotes is amended to read as follows:

Except as provided by paragraphs (b), (c) and (d) of this section and by §§ 602.178 and 602.182 of this regulation, no industrial consumer shall place an order for delivery, or receive, during any calendar month, bituminous coal produced in Districts 1 to 4, inclusive, 6, 7, 8 and 13, in amounts exceeding the maximum percentage (to the nearest

¹Administrative regulations of the War Department pertaining to discharge of enlisted men.

carload or barge lot) of his monthly consumption requirements as specified in the following Stock Limitation Table:

STOCK LIMITATION TABLE

Maximum percentage of monthly consumption requirements that may be ordered (subject to provisions of §§ 602.172, 602.178 and 602.182) from Districts 1 to 4, inclusive, 6, 7, 8 and 13 fer delivery and received during any calendar month by an industrial consumer, from all sources combined, for a plant (or railroad system) based upon the days' supply of coal at such plant (or railroad system):

Paragraph (b) of § 602.172 is amended to read as follows:

(b) No restrictions upon the basis of days' supply are imposed by this regulation upon orders for bituminous coal for vessel fuel or bunker fuel, or upon orders for special purpose coals, or upon orders for bituminous coals produced in Districts Nos. 5, 12, 14 to 20, inclusive, 22 and 23.

Paragraphs (c) and (d) of § 602.172 are redesignated paragraphs (d) and (e) respectively and a new paragraph (c) is added to § 602.172, reading as follows:

(c) (i) The Stock Limitation Table provided in paragraph (a) of this section is not applicable to orders of coal produced in Districts Nos. 9, 10 and 11. No industrial consumer having 120 days' supply or more of bituminous coal shall order or receive from Districts Nos. 9, 10 and 11 more than 100% of his monthly consumption requirements unless he first obtains written permission so to do from the Solid Fuels Administration for War.

(ii) In order to encourage the building of stockpiles of Districts Nos. 9, 10 and 11 coals up to 90 days' supply, assurance is given that when it becomes necessary to reinstate a specific Stock Limitation Table for these coals so long as any industrial consumer has a stockpile containing not less than 40 nor more than 90 days' supply he will not be required to draw down at a greater rate than any other industrial consumer having a stockpile containing 40-90 days' supply; and that any industrial consumer who has less than 40 days' supply, or who has reduced his stockpile to less than 40 days' supply, may be required to draw down his stockpile at a different rate than those who continue to have in excess of a 40 days' supply.

When the specific Stock Limitation Table is reinstated, the rate of draw down on industrial consumers'- stocks above 90 days may be and is likely to be considerably greater than the rate of draw down on stocks within the range

of 40 to 90 days' supply.

Those industrial consumers who fail to utilize to the full existing facilities and opportunities to stock coal from these districts are likely to experience difficulty in obtaining an adequate fuel supply after the Stock Limitation Tables are reinstated.

(2) Section 602.173 Voluntary efforts to level industrial consumers' stocks; information concerning non-cooperative consumers is hereby suspended until further action by the Solid Fuels Administration for War.

- (3) Paragraph (c) of §602.174 Restrictions on shipments to industrial consumers unless orders comply with §602.172 and are submitted on time and contain certain information is amended to read as follows:
- (c) Notwithstanding the provisions of this section or of § 602.172, industrial consumers should make every reasonable effort to make known to producers and wholesalers that they are ready, willing and able to accept coal in addition to the amount ordered to the extent that such coal is available and offered in accordance with the provisions of § 602.178.
- (4) Section 602.178 Production in no event to be curtailed is amended to read as follows:
- § 602.178 Joint responsibility of industrial consumer and producer to assure that production is in no event curtailed. Notwithstanding any other provision of this regulation, no producer is required to curtail his production by reason of this regulation. In the event a producer does not have adequate orders on which shipments may be made consistent with this regulation during any calendar week, he shall arrange to the extent necessary in order to permit operation of the mine without curtailment, for the distribution of surplus coal during that calendar week; and it is the joint responsibility of industrial consumers and producers to take all steps necessary to assure that the operation of no mine is curtailed for the lack of adequate orders. If a producer expects to have surplus coal which he cannot dispose of under voluntary arrangements with purchasers in accordance with this section, he shall forthwith notify the Area Distribution Manager for his district concerning the situation.
- (5) Paragraph (b) of § 602.185 Revocation of Solid Fuels Administration for War Order No. 5, and partial revocation of Solid Fuels Administration for War Regulation No. 4, as amended, is amended to read as follows:
- (b) Solid Fuels Administration for War Regulation No. 4, as amended (§§ 602.41 to 602.58, inclusive), is hereby revoked as of December 1, 1943. Section 602.42 of that regulation is hereby revoked as of April 1, 1944.
- (6) This amendment becomes effective forthwith.

Issued this 15th day of March 1944.

HAROLD L. ICKES,

Solid Fuels Administrator for War.

[F.R. Doc. 44-3729; Filed, March 17, 1944; 9:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX-War Production Board

Subchapter B-Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 FR. 329; E.O. 9125, 7 FR. 2719; W.P.B. Reg. 1, as amended March 24, 1943, 8 FR. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 FR. 6727.

PART 3291—CONSUMES DURABLE GOODS [Limitation Order L-49, as Amended March 16, 1944]

EEDS, BED SPRINGS, MATTRESSES AND DUAL SLEEPING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel, wood and textiles for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Section 3291.70 Limitation Order L-49 is hereby amended to read as follows:

§ 3291.70 Limitation Order L-49—(a) What this order does. This order regulates the production of bedding products. It assigns maximum manufacturing quotas for such products regardless of the materials from which they are mode. It also limits the amount of iron and steel which may be incorporated in any item.

(b) Definitions. For the purposes of

this order:

- (1) The term "bedding products" includes metal beds; metal bed frames; metal cots, metal bunks and metal rollaway cots (including springs). It also includes the following products whether or not containing metal: innercpring mattresses, pads, pillows; coil, flat or fabric bedsprings; box springs; mattress foundations; crib springs; and dual sleeping equipment (studio couches, sofa beds, lounges, and chair beds designed for dual seating and sleeping purposes).
- (2) "Manufacturer" means any person who manufacturers or assembles bedding products, but does not include a person who repairs or reassembles a bedding product.

(3) "Base period" means the twelve month period ending June 30, 1941.

- (4) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, War Shipping Administration, Aircraft Resources Control Office, or Federal Public Housing Authority, or for delivery outside the United States, its territories and possessions.
- (c) Restrictions on production for other than preferred orders. (1) During each calendar quarter beginning January 1, 1944, no manufacturer shall produce more bedding products, for other than preferred orders, than the percentage as shown in Schedule A of his unit production of such products during the base period. If in any calendar quarter a manufacturer produces less than his permitted production, he may produce the unused portion of his quota in the following quarter.

(2) No manufacturer shall produce any bedding product containing more iron and steel for other than preferred orders than the amount shown for that product in Schedule A.

(d) Manufacturers of bed springs may not increase production in critical labor plants without special authorization—
(1) What a "critical labor plant" is. A "critical labor plant" is a plant in a Group I or Group II labor area, as classi-

fied by the War Manpower Commission, in which a manufacturer was authorized to produce during the fourth quarter of 1943 more than 1,000 box springs or more than 5,000 coil, flat or fabric bed springs.

(2) Rules governing critical labor plants. No manufacturer shall produce during any quarter in any plant which was a critical labor plant on the first day of that quarter, more box springs or more coil, flat or fabric bed springs, including preferred orders, than he produced in that plant during the fourth quarter of 1943, unless he obtains specific authorization from the War Production Board. Authorization for additional production will not be given if such production would interfere with war production in that plant or elsewhere. Additional production will be authorized in such a way as to avoid increasing requirements for labor in labor shortage areas. Any manufacturer seeking specific authorization under this paragraph should file a written statement in triplicate with the Field Office of the War Production Board for the district in which the plant is located. This statement should include the following:

(i) The number of production workers in the plant for the last pay roll period for which data are available.

(ii) A full explanation of how labor requirements for the requested production will be met.

(iii) Any other facts pertinent to a decision on whether or not the proposed increased production will interfere with war work

(e) Reports. Each manufacturer producing bedding products must file with the War Production Board quarterly reports on Form WPB-1600 (formerly PD-655) on or before the 15th day of April, July, October and January, according to the instructions for filing that form.

(f) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) Appeals. Any appeal from this order must be made on Form WPB-1477 (formerly PD-500) and must be filed with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates.

(h) Applicability of regulations and other orders. This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of bedding products to a greater extent than does this order, the other order shall govern unless it states otherwise.

(i) Communications. All reports required to be filed hereunder and all communications concerning this order shall,

unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington • 25, D. C., Ref: L-49.

Note: The applications and reporting requirements of this order have been approved

by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of March 1944.

War Production Board,
By J. Joseph Whelan,

Recording Secretary.

SCHEDULE A

Metal beds (except hospital type) and metal bed frames		
Metal beds, hospital type (including fabric spring or a	ijustable type Unl	imited.
spring).		
Metal cots, metal bunks, and metal rollaway cots (including		
Cots and rollaway cotsmax		
Bunks		
Innerspring mattresses, pads and pillows		
Hospital innerspring mattresses only on specific order of or	contract with [in]	limited.
hospitals or sanitariums. Coil, flat or fabric bedsprings (except hospital adjustable type)		4 -4
		2 %0 •
Double deck coil spring (not more than 30% of production		1
	kimum weight 681	
Single deck coil springma		
Flat or fabric springma		
Crib springs	kimum weight 161	0 e her
Box springs	tot =_viigiow minumx	03.
- Doy abituga ciri	kimum weight 23 l	2 70 • he
Dual sleeping equipment (studio couches, sofa beds, lounges		
designed for dual seating and sleeping purposes).	and chan beds 878	•
Studio couchesma	vimum weight 60 1	he
Sofa beds, lounges and chair bedsma		
water water to a contract of the contract of t	********* ** ******** ** ***	

Exceptions. (1) Any manufacturer whose permitted production of any bedding product is restricted by this schedule to less than 250 units in any calendar quarter, may nevertheless, produce during any calendar quarter 25% of his base period production of such product, or 250 units, whichever is the smaller.

(2) Innerspring mattresses may be produced using innerspring constructions contained in inventory prior to September 1, 1942, upon specific authorization of the War Production Board. To secure such authorization, a manufacturer should address a letter to the War Production Board, Washington 25, D. C., Ref: L-49, stating the number of innerspring constructions he has in inventory, the number of innerspring mattresses he wishes to produce and the person to whom they will be sold.

[F. R. Doc. 44-3669; Filed; March 16, 1944; 11:17 a. m.]

PART 3291—CONSUMERS DURABLE GOODS
[Limitation Order L-49, Interpretations
1 and 2, Revocation]

BEDS, BED SPRINGS, MATTRESSES, AND DUAL SLEEPING EQUIPMENT

Interpretations 1 and 2 of Order L-49 are superseded by subparagraph (b) (2) of the order as amended March 16, 1944.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-3727; Filed, March 16, 1944; 11:17 a. m.]

PART 3291—CONSUMERS DURABLE GOODS
[General Limitation Order I-49,
Interpretation 3]

BEDS, BED SPRINGS, MATTRESSES AND DUAL SLEEPING EQUIPMENT

The following official interpretation is hereby issued by the War Production

Board with respect to § 3291.70 General Limitation Order L-49:

This interpretation is to explain the effect of L-49 upon the repairing or reassembling of bedding products. Paragraph (b) (2) of L-49 defines a manufacturer as "any person who manufactures or assembles bedding products, but does not include a person who repairs or reassembles a bedding product." Cortain examples may help to clarify this definition.

A person who buys a number of used or second-hand coil, flat and fabric bedsprings, tears them down and reassembles the usable parts into bed springs is not a manufacturer any more than is a person who adds a pieco, to a single bed spring to put it into usable condition. However, a person who buys used automobile seat springs and assembles them into a bedding product is engaged in manufacture and not in making repairs or reassembling, as the material with which he works was never a bedding product.

A person who acquires a new innerspring construction and assembles it into an innerspring mattress is obviously a manufacturer of that mattress. Conversely, a person who acquires a used innerspring mattress, or an innerspring construction which has proviously been incorporated into an innerspring mattress, and remakes these items is not engaged in manufacture, but in repair or reassembly.

The essential thing to bear in mind in construing paragraph (b) (2) is that for an operation to be classified as repairing or reassembling, the article or articles with which a person is working must have at one time been a bedding product or part of a bedding product.

Issued this 16th day of March 1944. War Production Board,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 44-3728; Filed, March 16, 1944; 11:17 a. m.]

PART 1157 - CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule VI, as Amended Mar. 17, 1944]

TRUCK MIXER-AGITATORS

§ 1157.26 I Schedule VI to Limitation Order L-217—(a) Definitions. For the purposes of this Schedule VI:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of truck

mixer-agitators.

(3) "Truck mixer-agitator" means any mixer body suitable for truck mounting ordinarily used for mixing or agitating concrete in transit, where the batched materials are or may be loaded

by gravity into the mixer drum.
(4) "Repair part" means any part manufactured for use in the repair of

truck mixer-agitators.

(b) Limitation on production. (1) On and after March 15, 1943, no producer shall put into process any materials for the manufacture of truck mixer-agitators which do not conform to the sizes and types established in paragraph (c) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on that date.

(2) Nothing in this schedule shall be deemed to restrict the production of re-

pair parts.

(c) Limitation on sizes and types. Producers are limited to the following sizes of truck mixer-agitators, and no more than one type (either the inclined axis rotating drum or open body type) is permitted for each such size:

(1) 2 cubic yard mixer (3 cubic yard

agitator).

(2) 4 cubic yard mixer (6 cubic yard

agitator).

(d) Limitation on painting. On and after March 15, 1943, no producer shall use striping or trimming on truck mixeragitators, nor, except for sign lettering, use more than one color finish coat paint on any one truck mixer-agitator and its repair parts if painted. Nothing in this paragraph (d) shall be deemed to require the repainting of any truck mixer-agitators or repair parts in any such producer's inventory on March 15, 1943.

(e) [Deleted Mar. 17, 1944]

(f) Restrictions on producers. No person, unless actively engaged in the current production of truck mixer-agitators (as indicated by his January, 1943, filing of production and shipment schedules on Form PD-697, pursuant to Limitation Order L-192) shall thereafter enter into the production thereof.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN. Recording Secretary.

[F. R. Doc. 44-3752; Filed, March 17, 1944; 11:33 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSER-VATION

[Limitation Order L-217, Schedule I, Revocation]

SCRAPERS

Section 3115.2 Schedule I to Limitation Order L-217 is hereby revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of scrapers remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAM, Recording Secretary.

[F. R. Doc. 44-3753; Filed, March 17, 1944; 11:83 a. m.]

3115—Construction Machinery PART AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Limitation Order L-217, Schedule III. Revocation]

ANGLEDOZERS OR TRAILBUILDERS

Section 3115.4 Schedule III to Limitation Order L-217 is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of angledozers and trailbuilders remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-3754; Filed, March 17, 1944; 11:33 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSER-VATION

[Limitation Order L-217, Schedule IV, Revocation]

Section 3115.5 Schedule IV to Limitation Order L-217 is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of bulldozers remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-3755; Filed, March 17, 1944; 11:33 a. m.]

PART 3175-REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 18]

HOW TO APPLY FOR AN INCREASE OF QUOTA

The following direction is issued pursuant to CMP Regulation 5:

(a) A person applying for an increase in his quota under paragraph (f) (8) of CMP Regulation No. 5 should show in his letter of application the following information:

(1) Name of product(s) manufactured or

description of services rendered;

(2) Show what quarterly quota you were authorized under paragraph (f) in 1943. (If operating on a seasonal basis, show for each quarter of 1943). If you received a special authorization for any quarter, show that for each such quarter in addition to the "base"

(3) Statement of total dollar value of deliveries of your product in 1942, and first and subcequent quarters of 1943, by quarters. Show deliveries for each quarter by principal

Claimant Agencies;

(4) Statement of total amount of LIRO requested to be authorized per quarter. This should include the base quota already permitted by paragraph (f) (1), (2), or (3) plus the increase requested;

(5) Statement of total amount expended during 1943 for minor capital additions under paragraph (b) (3) of the regulation;

(6) Statement of deliveries of your product scheduled for quarters for which MRO increase is requested;

(7) Any additional information which may pertinent to proper evaluation of the application.

(b) If any of these questions do not apply to your operations, substitute equivalent information describing the circumstances.

(c) The application should be filed with

the War Production Board, Washington 25, D. C., Reference: CMP Regulation No. 5.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-3756; Filed, March 17, 1944; 11:33 a. m.]

PART 3207-INDUSTRIAL TYPE INSTRU-MENTS, CONTROL VALVES AND REGULA-TORS: SIMPLIFICATION

[Limitation Order L-272, Schedule VII, as Amended Mar. 17, 1944]

INDUSTRIAL THERMOMETERS

Schedule VII to Limitation Order L-272 is amended to read as follows:

§ 3207.8 Schedule VII to Limitation Order L-272-(a) Definition. This schedule applies only to "industrial thermometers," which are those generally known as such by the trade. Such thermometers as the 5-inch scale Navy type are included. An industrial thermometer has a case with glass front; a mercury or liquid filled glass tube; fixed thread, flanged, union, separable socket or long stem connection; and a separate scale graduated in degrees. This schedule does not apply to general purpose thermometers or to such special types as cup-case, japanned tin case, etched in armor, or shiphold thermometers; nor does it apply to dairy thermometers manufactured to conform to Federal, State or Municipal regulations applying to the handling of milk.

(b) Specifications. (1) Protective finishes, for case or front, if supplied, shall be paint, lacquer or enamel only.

(2) Industrial thermometer cases shall be made only in the 5-inch, 7-inch

^{. 1} Formerly Part 3115, § 3115.7.

and 9-inch sizes; and only one type of case (the manufacturer's standard type) shall be furnished in each size; but the omission of glass or front from the case shall not constitute a difference in type. The provisions of this paragraph (b) (2) do not apply to fumetight cases; nor to ring or handle-topped thermometers not designed for rigid attachment to apparatus.

(3) Thermometers shall be manufactured in 90, 135, 180 and 225 degree angles only. The angle is that measured between the center line of the stem and the center line of the case, and is measured either in a plane normal to the face backwards from the face, or in a plane parallel to the face either to the right or left of the face. Offset angles are in no way restricted by this provision.

(4) Thermometer scales shall not have any special markings or legends, such as service markings, special markings, or colorings or graduations, operating zones, or trade names, or trade marks other than those of the producer. If special markings or legends are necessary they should be placed on tags made of noncritical materials.

(5) Separable sockets shall not be supplied with caps and chains except when they are required by Navy specifications on orders for the Navy.

(6) Cases and case fronts may be made of copper base alloy only if the copper content is not greater than seventy-four (74%) percent and the tin content not greater than one and one-half (1½%) percent.

Issued this 17th day of March 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 44-3757; Flied, March 17, 1944; 11:33 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-166 as Amended Mar. 17, 1944]

FLAGS

§ 3290.84 General Preference Order M-166—(a) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise provided herein.

- (b) Definitions. For the purpose of this order:
- (1) "Flag" means a piece of cloth used as an emblem, whether it be in the form of a banner, bunting, burgee, color, guidon, valance, half-fan, net banner, pennant, pull-down, rosette (or full-fan), standard, or in any other form.
- (2) "Flag manufacturer" means any person manufacturing flags on a commercial scale, whether or not he also manufactures some other product or products.
- (3) "Converter" means any person who purchases greige goods for conver-

sion into fabrics meeting the requirements of any flag manufacturer.

(4) "Military order" means an order placed by the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Veterans Administration or the American Red Cross.

(c) Restrictions on manufacture. (1) After October 1, 1943, no flag manufacturer shall put into process any woven fabric for the manufacture of any flag (as defined above) except the following:

- (i) Official flags. Flags of any country, flags of any department or agency of the Federal Government (including the military services and all subdivisions) or flags the use of which is authorized by any of them, flags of any State or municipal government, and flags to be delivered under a military order, as defined above.
- (ii) Religious flags. The officially adopted flag of any religious denomination or sect.
- (iii) Signal flags. Code flags, semaphore flags, or flags indicating danger or distress.

(iv) Service flags. Flags showing that a person or persons are serving in the armed forces of the United States.

- (2) After October 1, 1943, no flag manufacturer shall put into process any material for the manufacture of any flag having an area of more than 150 square feet, except as required by a military order or as permitted under paragraph (g) below.
- (d) Assignment of preference rating.

 (1) A preference rating of AA-5 is hereby assigned to purchase orders by flag manufacturers for the following materials (either gray, bleached, dyed or printed) to be incorporated into the types of flags permitted under paragraph (c) (1) above:
- (i) Cotton mercerized bunting manufactured in accordance with the then current issue of Federal Specification CCC-B-791 type A and B;
 - (ii) Class A sheeting, Class B sheeting;
 - (iii) Print cloth of less than 80 sley;
 - (iv) Single filling flat duck;
 - (v) Broadcloth 36" 80 x 60 single ply;
- (vi) Rayon fabric: 39" wide. 110 x 60 construction plain weave made with 150 denier viscose or acetate bright rayon yarn in the warp and filling.
- (vii) Rayon fabric: 40" wide. 120 x 68 construction plain weave made with 120 denier warp and 150 denier filling acetate bright rayon yarn.
- (viii) Rayon fabric: 48" in the reed. 100 ends in the reed, 72 picks, plain weave. 75 denier viscose or cupprammonium rayon warp crepe with 55/57 turns warped 2 ends 8 twist, 2 ends Z twist. 75 denier viscose or cupprammonium rayon filling with natural twist.
- (ix) Rayon fabric: 52" wide. 225 x 76 or 80 construction plain weave made with 2

thread 40 denier cupprammonium 14/16 turns warp. 100 denier cupprammonium 12 turns filling.

- (x) Rayon fabric: 39" wide. 140 x 64 construction satin standard finish made with 100 denier bright viscose warp. 150 denier bright viscose filling.
- (xi) Pro rata widths to the abovementioned weights and constructions.
 - (xii) Cotton sewing thread.
- (2) Such preference rating shall be applied and extended in accordance with Priorities Regulation 3 and General Conservation Order M-328, except that converters may extend ratings only to obtain material which is required to fill a specific order on their books and may not extend ratings to replace inventories.

(3) The preference rating heretofore assigned to converters by this order is hereby revoked. Any materials obtained by converters through the use of such rating may be sold only on orders carrying an AA-5 or higher rating placed by flag manufacturers.

(e) Quantity restrictions. No flag manufacturer shall in any 12 months' period beginning July 1 of any year use in the manufacture of flags a greater quantity of fabrics than he used during the period'July 1, 1942 to July 1, 1943.

(f) Inventory restrictions. No flag manufacturer or converter shall accept delivery of any materials for flag production, or cause any materials to be accepted on his behalf, if his inventory of raw materials and materials in process will then exceed the quantity to be used by him within 60 days. For this purpose greige goods delivered to flag manufacturers who do their own converting may be considered separately from finished goods, and greige goods may be accepted by such flag manufacturers if they will be converted into finished goods within 60 days.

This inventory restriction is in addition to that contained in § 944.14 of Priorities Regulation 1.

(g) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) Communications to the War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference M-166.
(i) Reports. Each flag manufacturer

shall file one copy of Form WPB-3171 as specified in said form.

All reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is

guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-3758; Filed, March 17, 1944; 11:34 a. m.]

PART 3291-CONSUMERS DURABLE GOODS 1 [General Limitation Order L-264 as Amended Mar. 17, 1944]

RECTIFIER TUBES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rectifier tubes and of materials used in the manufacture of such tubes for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.140 1 General Limitation Order L-264-(a) Definitions. For the pur-

poses of this order:
(1) "Rectifier tube" means any argon-filled, hermetically sealed bulb using a hot cathode, and designed to transform alternating into direct current, but limited to tungar, rectigon and similar types.

(2) "Manufacturer" means any person engaged in the business of producing or assembling any rectifier tube or

part therefor.

- (3) "Military exemption order" means a purchase order, contract or subcontract for rectifier tubes, or parts for such tubes (whether or not physically incorporated into rectifier tubes) to be purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Armed Forces of any country eligible for Lend-Lease assistance pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

 (b) General restrictions.
 - (1) [Deleted Mar. 17, 1944]
- (2) On or before the 15th day of June, 1943, and on or before the 15th day of each third succeeding calendar month thereafter, each manufacturer shall file with the War Production Board, Form PD-880 which shall include:
- (i) Such manufacturer's proposed production schedules for rectifier tubes so far as then planned, but in any event for not less than the three calendar months following the filing of the report; and
- rectifier tubes so far as then planned, but in any event for not less than the

three calendar months following such

(ii) His proposed delivery schedules of

filing. The War Production Board shall notify manufacturers of their approvalor disapproval of the production and de-livery schedules for the calendar quarter or more covered in the report. The War Production Board may, at any time, change any schedules, direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer or theretofore approved by the War Production Board; allocate any order listed on the report to any other manufacturer; or direct the delivery of any rectifier tubes so listed to any other person, at the established price and terms. No manufacturer shall produce or deliver any rectifier tubes except in accordance with schedules approved or prescribed by the War Production Board as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the War Production Board.

(iii) If the schedule for production or deliveries approved under the provisions of this order do not correspond to the authorized production schedule approved for the same quarter under the Controlled Materials Plan (on Form CMP-4B, or any other designated form) then the schedule approved under this order shall constitute the authorized production schedule of the manufac-

(c) Applicability of other orders. In so far as any other order heretofore or hereafter issued by the War Production Board limits the use of any material in the production of rectifier tubes to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(d) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time

to time.

(e) Avoidance of excessive inventories. No manufacturer shall accumulate for use in the manufacture of rectifier tubes or parts therefor, including inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(f) Records. All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(g) Audit and inspection. All reports required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized represent-atives of the War Production Board.

(h) Reports. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) Appeal. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) Violations. Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assist-

(L) Communications. All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division. Washington 25, D. C., Ref: L-264.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN. Recording Secretary.

[F. R. Doc. 44-3759; Filed, March 17, 1944; 11:33 a. m.]

Chapter XI-Office of Price Administration

PART 1340-FUEL

[LIPR 120,1 Amdt. 92]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respect.

Section 1340.221 (b) (6) is amended to read as follows:

(6) The maximum prices for shipments of coals in Size Group Nos. 1 through 6, and 8 for other than locomotive fuel use shall in no case be less than the maximum prices for shipments from the same mine of 6" x 11/4" egg. modified mine run or mine run, whichever price is the highest.

This amendment shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 FR. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 16th day of March 1944. CHESTER BOWLES. Administrator.

[F. R. Doc. 44-3703; Filed, March 16, 1944; 11:53 a. m.]

^{*}Copies may be obtained from the Office of Price Administration.

¹⁸ P.R. 14550, 15256, 15455, 15456, 16231, 16419, 16738, 16993, 17184; 9 P.R. 396, 573, 693, 794, 973, 1181, 1395, 1454, 1721, 1905, 2003, 2127, 2237, 2407.

¹Formerly Part 3194, § 3194.1.

PART 1340-FUEL [MPR 436,1 Amdt, 10]

CRUDE PETROLEUM AND PETROLEUM AND NATURAL GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 436 is amended in the following respects:

- 1. Section 8 (a) (4) is added to read as follows:
- (4) Urbana Field. * Effective January 12, 1944, the maximum price at the receiving tank for heavy Urbana crude oil produced in the Urbana Field, Union County, Arkansas, shall be 88¢ per bar-
- 2. Section 8 (b) (4) is amended to read as follows:
- (4) Other fields than listed in (2) above. The maximum price at the receiving tank for crude petroleum produced in fields in California other than those named in Article II, section 8 (b) (2) and other than those fields determining maximum prices under Article II section 8 (b) (3) shall be the sum of the maximum price as determined by other provisions of this regulation and the amount designated below:

>	Increa	se per
A. P. I. gravity:	barrel	
Below 15		\$0.25
15-15.9		. 25
16-16.9		
17-17.9		
18-18.9		
19-19.9		
20-20.9		.10
21–21.9		07
22-22.9		.04
23-23.9		.01

Provided, however, That the maximum price for a particular gravity crude shall not be less than that for a lower gravity crude from the same seller's receiving tank in the same pool.

- 3. Section 8 (e) (7) is added to read as follows:
- (7) South Elton Field. The maximum price at the receiving tank for crude petroleum and crude distillate produced in the South Elton Field, Jefferson Davis Parish, Louisiana, shall be as follows:

	Dollars per 42-
A. P. I. gravity:	gallon barrel
Below 21	0.90
21-21.9	92
22-22.9	
23-23.9	
24-24.9	
25-25.9	
26-26.9	1.02
27-27.9	1.04
28-28.9	
29-29.9	1.08
30-30.9	1.10
31–31.9	1.12
32-32.9	1.14

^{*}Copies may be obtained from the Office of Price Administration.

	Dollars per 42-	
A. P. I. gravity:	gallon barrel	
33-33.9	1.16	
34-34.9	1.18	
35-35.9	1.20	
36-36.9	1.22	
37-37.9	1.24	
38-38.9	1.26	
39-39.9	1.28	
40 and above	1.30	
4 ~ ~		

- 4. Section 8 (e) (8) is added to read as follows:
- (8) Tullos-Urania Field. The maximum price at the receiving tank for crude petroleum produced in the Tullos-Urania Field, LaSalle Parish, Louisiana, shall be a flat price of \$1.25 per barrel.

This amendment shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944. CHESTER BOWLES. Administrator.

[F. R. Doc. 44-3715; Filed, March 16, 1944; 11:56 a. m.]

PART 1347-PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PROD-UCTS, PRINTING AND PUBLISHING

IMPR 359.1 Amdt, 41

CERTAIN CONVERTED PAPER PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 359 is amended in the following respects:

Section 1347.557 is amended to read

§ 1347.557 Petitions for amendment and applications for adjustment. (a) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

(b), Under the following conditions a manufacturer of any of the commodities covered by this Maximum Price Regulation No. 359 may apply for adjustment of his maximum prices where the maximum price causes him substantial hardship and where the War Production Board certifies by letter to the Office of Price Administration that the commodity involved is necessary, in the quantity actually to be supplied by theapplicant, to meet a military or essential civilian need. The amount of adjustment which may be granted will be determined by the Office of Price Administration and will in no case exceed an amount deemed reasonably necessary to insure the applicant's production of the commodity in question, in the light of

the applicant's costs of production and his over-all financial condition.

(1) Form of application for adjust-ment. Applications for adjustment shall be filed in accordance with subpart B of Revised Procedural Regulation No. 1, with the Office of Price Administration, Washington, D. C. In addition the applicant shall set forth the following

(i) Statement of the applicant's maximum price, the section of Maximum Price Regulation No. 359 under which such price is determined, the proposed adjusted maximum price, and the complete specifications of the commodity.

(ii) Statement as to the length of time the applicant has been producing the commodity, and the actual production in cases per month for the last six months, preceding the date of filing of the application.

(iii) A record of the applicant's actual costs involved in the manufacture and sale of the commodity for the last two accounting periods is to be given in full detail.

(iv) Statement of the seller's over-all financial condition, including the information required by OPA Form A (Annual Financial Report) for the fiscal year next preceding the filing of the application. and the information required by OPA Form B (Interim Financial Report) for each quarterly period subsequent to the period covered by the A report: Provided. That for cause shown this latter requirement may be waived in whole or in part at the discretion of the Administrator.

(v) A complete statement of the reasons why the applicant believes that he will be unable to maintain his production of the commodity at his established maximum price.

This Amendment No. 4 to Maximum Price Regulation No. 359 shall become effective March 22, 1944.

Note: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944. CHESTER BOWLES, Administrator.

[F. R. Doc. 44-3710; Filed, March 16, 1944; 11:54 a. m.]

PART 1377—WOODEN CONTAINERS [MPR 481,1 Amdt. 2]

KNIFE-CUT SLACK STAVES, SLACK HEADING AND SLACK COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

¹8 F.R. 11369, 12177, 12314, 17327; 9 F.R. 347, 945, 1532.

¹8 F.R. 4635, 4727, 6736, 7257, 10431.

²8 F.R. 14312, 16790.

Maximum Price Regulation 481 is amended in the following respects:

1. The title of the regulation amended to read "Slack Staves, Heading and Cooperage".

2. In § 1377.303 the word "knife-cut" is deleted from the heading and text.

3. The word "knife-cut" is deleted from the heading and items 1 and 4 of the table of contents.

4. In section 1 the word "knife-cut" is deleted from the heading and text.

5. In section 3 the first subparagraph of paragraph (b) is amended to read as follows:

(b) Products covered. The term "slack staves" as used in this regulation includes all hardwood knife-cut and jointed staves and all pine and hardwood staves sawed on a parallel sided drum saw and produced in any of the following states: Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Mississippl, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia or West Virginia.

6. In section 4 the heading and first sentence of paragraph (a) are amended to read as follows:

SEC. 4. Maximum prices for slack staves and heading—(a) Factory or mill sales. In direct factory sales of more than 6,000 pounds, that is, sales made by the producing factory, the maximum prices, f. o. b. mill or railhead, for slack staves and slack heading are those contained in Tables I, II and III below:

7. In section 4 Table II is redesignated Table III and a new Table II is added to

read as follows:

Table II—Slace Staves, Sawed on Parallel Sided Drum Saw, Air Dried, Jointed, Not Crozed, Per M 4" Average Bilge Width, 36" Thick

[F. O. B. mill or railhead]

Length of staves	Pine	Hard- wood
28½"	\$16.00 17.00 18.00	\$17.00 18.00 19.00

8. In section 4 the word "knife-cut" is deleted from the first sub-paragraphs of paragraphs (b) and (c).

This amendment shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944. CHESTER BOWLES, Administrator.

[F. R. Doc. 44-3709; Filed, March 16, 1944; 11:53 a. m.]

> PART 1381—SOFTWOOD LUMBER [MPR 19A, Amdt. 1]

LOG-RUN SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.*

Maximum Price Regulation 19A-Log-Run Southern Pine Lumber, is amended in the following respect:

Section 1 is amended by the addition of the following sentence at the end of the section:

The maximum price for lumber produced by sawmills in Virginia is \$2.00 per M'BM higher than the prices above.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944. CHESTER BOWLES, Administrator.

[F. R. Doc. 44-3719; Filed, March 16, 1944; 11:57 a. m.]

PART 1404—RATIONING OF FOOTWEAR [RO 17.1 Amdt. 54]

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the . Federal Register.

Ration Order 17 is amended in the following respects:

Section 2.11 (i) is added to read as follows:

(i) Children's shoe release. Any establishment may mark and transfer as nonrationed, children's shoes in the following sizes, which were manufactured in the United States before March 16, 1944. or imported before March 16, 1944, and which will not sell for ration currency, in accordance with the following provisions:

(1) Retailers. During the period from May 1 to May 20, 1944, inclusive, any establishment whose transfers of shoes are made principally to consumers, other than one whose transfers are made principally on mail orders, may transfer to consumers ration-free, children's shoes of sizes 8½ to 12, inclusive, little boys' shoes of sizes 12½ to 3, inclusive, and misses' shoes of sizes 12½ to 3, inclusive, if the price charged to the consumer does not exceed \$1.60 a pair. Shoes so transferred shall be marked with the date of the transfer and the word "Released". The mark shall be written or stamped on one shoe of each pair with ink, indelible stamp or indelible pencil after the sale to the consumer but before they are removed from the establishment.

(2) Mail order houses. During the period from May 1 to May 20, 1944, inclusive, any establishment whose transfers are made principally on mail orders may transfer to consumers ration-free, children's shoes in the sizes specified in subparagraph (1) above, if the price charged for them does not exceed \$1.60 a pair. Such shoes may be transferred rationfree to other establishments during the period from March 20 to April 29, 1944, inclusive, if the price charged for them does not exceed \$1.10 a pair. One shoe of each pair transferred to consumers shall be marked or stamped with the date of transfer and the word "Released". The mark shall be made with ink, indelible stamp or indelible pencil, after the sale to the consumer but before they are removed from the establishment. If the shoes are being transferred to other establishments, they shall not be marked.

(3) Wholesalers and manufacturers. During the period from March 20 to April 29, 1944, inclusive, any other eligible establishment may transfer ration-free to other establishments, children's shoes in the sizes specified in subparagraph (1) above, if the price charged for them does not exceed \$1.10 a pair.

(4) Advertisement. When such shoes are offered for sale to consumers in any notice or advertisement, they shall be referred to as "OPA Release-Children's low priced shoes. Ration-free from May 1 through May 20, 1944."

(5) "Price charged" explained. For the purpose of this section "price charged to an establishment" means the invoice price less any separable transportation expense (a charge for freight or postage which is stated separately on the invoice but which is part of the invoice price). In determining the price charged, a cash or trade discount may not be deducted from the invoice price.

(6) Records to be kept. Each establishment shall keep c record, in the manner required by section 2.13 (b) (9), showing the number of pairs of shoes transferred ration-free under this paragraph; and the number of pairs of shoes acquired by the establishment rationfree under this paragraph.

This amendment shall become effective March 20, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727, 8 F.R. 7440; E.O. 9125, 7 F.R.

Issued this 16th day of March 1944. CHESTER EOWLES. Administrator.

[P. R. Doc. 44-3711; Filed, March 16, 1944; 11:54 a. m.]

PART 1407-RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,3 Amdt. 6 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (e) (2) (ii) is added to read as follows:

(ii) F3, G8, H8, J8, and K8 may be used from April 1, to June 20, 1944, in-

This amendment shall become effective March 21, 1944.

^{*}Copies may be obtained from the Office of Price Administration.

¹⁸ F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2233.

³9 P.R. 173, 903, 1181, 209, 2230.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food-Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 16th day of March 1944. CHESTER BOWLES, Administrator.

[F. R. Doc. 44-3713; Filed, March 16, 1944; 11:54 a. m.]

PART 1407-RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,1 Amdt. 19 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (e) (2) (iii) is added to read as follows:

(iii) G8, H8, and J8 may be used from March 26, 1944, to June 18, 1944, inclu-

This amendment shall become effective March 21, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-N, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 16th day of March 1944.

CHESTER BOWLES. Administrator.

F. R. Doc. 44-3714; Filed, March 16, 1944;. 11:55 a. m.]

PART 1425-LUMBER DISTRIBUTION [2d Rev. MPR 215,2 Amdt. 3]

DISTRIBUTION YARD SALES OF SOFTWOOD .

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation No. 215 is amended in the following respects:

1. Section 4 is amended to read as fol-

SEC. 4. Maximum prices for wholesale and CPA yards and "wholesale-type" sales by retail yards. (a) The maximum prices for all sales out of the stock of wholesale or CPA distribution yards or "wholesale-type" sales and sales of lower grades of lumber out of the stock of retail yards, except as provided in paragraphs (b) and (c) of this section and section 6, are the sum of the following: (See section 16 for definitions of "sales out of distribution yard stock", "wholesaletype sales" and "lower grades of lumber".)

²8 F.R. 14145; 9 F.R. 221.

(1) F. o. b. mill maximum price at the time of delivery by the distribution yard in the mill regulation for the particular species, plus

(2) Inbound transportation charges to the distribution yard, figured under the

rules in section 7; plus
(3) \$5.00 per thousand board feet "handling charge" (or 30 cents per square for shingles, and 60 cents per M pieces for lath); plus

(4) 10 percent of the total of (1), (2)

and (3).

In computing the maximum price under this paragraph, the f. o. b. mill maximum price may be increased by 4 percent (maximum \$2.00 per MBM) in those cases in which the applicable mill regulation permits an addition to the f. o. b. mill price by a wholesaler or commission merchant.

In computing the maximum price each of the above items must be adjusted to the nearest quarter of a dollar per thousand board feet of lumber or the nearest five cents per unit of sale on other items.

- (b) The maximum prices for truck shipments or less than carload shipments by rail of lower bracket items of southern pine lumber by yards located in Alabama, Georgia, Mississippi, North Carolina, South Carolina, Tennessee or Virginia which during the last six months of 1943, processed by ripping, resawing, edging, planing or other comparable operations, 25 percent or more of their total volume of lower bracket items of southern pine or which, during any succeeding three months' period, process 25 percent or more of their lower bracket items of southern pine, are the sum of:
- (1) F. o. b. mill maximum price at the time of delivery by the distribution yard in Second Revised Maximum Price Regulation No. 19,3 Southern Pine Lumber plus
- (2) \$5.00 per thousand board feet; plus
- (3) 5 percent of the total of (1) and (2).

In computing the maximum price under this paragraph, the f. o. b. mill maximum price may be increased by 4 percent (maximum \$2.00 per MBM) in those cases in which the applicable mill regulation permits an addition to the f. o. b. mill price by a wholesaler or commission merchant.

In computing the maximum price each of the above items must be adjusted to the nearest quarter of a dollar per thousand board feet of lumber or the nearest five cents per unit of sale on other items.

- (c) All sales of southern pine, both upper and lower bracket items, by yards described in paragraph (b) for carload rail shipment are subject to Second Revised Maximum Price Regulation 19, Southern Pine Lumber.
- 2. Paragraph (a) in section 5 is amended to read as follows:
- (a) General. The maximum prices on sales out of retail yard stock other than "wholesale-type" sales, sales of lower grades of lumber, sales of pressuretreated lumber and sales of southern

pine as provided in paragraph (e) of this section, are the sum of the following:

- 3. Section 5 is amended by adding a new paragraph (e) to read as follows:
- (e) All sales of southern pine, both upper and lower bracket items, by yards described in section 4 (b) for carload rail shipment are subject to the directmill prices in Second Revised Maximum Price Regulation 19, Southern Pine Lumber, with no mark-up or basing point.

 This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944. CHESTER BOWLES. Administrator.

[F. R. Doc. 44-3720; Filed, March 16, 1944; 11:57 a. m.]

PART 1499—COMMODITIES AND SERVICES IMPR 165, as Amended, Amdt. 1 to Supp. Service Reg. 201]

WHOLESALE LAUNDRIES AND HAND LAUNDRIES IN THE NEW YORK CITY AREA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The first sentence of § 1499.672 (a) (8) is amended to read as follows:

(8) Provision for adjustments. Any hand laundry located in the New York City area may apply to the New York City District Office on or before April 1, 1944, for permission to charge the maximum prices established by Maximum Price Regulation No. 165 as amended, if such maximum prices for the laundry items of greatest frequency were substantially greater than the maximum prices established herein.

This amendment shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944. CHESTER BOWLES. Administrator.

[F. R. Doc. 44-3712; Filed, March 16, 1944; 11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES [Rev. SR 14 to GMPR, Amdt. 107]

SALES OF CALCIUM CARBIDE BY RUBBER RESERVE COMPANY

A statement of the considerations involved in the issuance of this amend-

^{*}Copies may be obtained from the Office of Price Administration.

¹8 F.R. 16834, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2091, 2007.

⁸⁹ F.R. 1162.

¹7 F.R. 6428, 6966, 8239, 8431, 8798, 8943 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023.

²8 F.R. 16294.

ment, issued simultaneously herewith. has been filed with the Division of the

Federal Register.*

Section 4.16 is amended by inserting the words "or Rubber Reserve Company" immediately following the words "Defense Supplies Corporation" wherever the latter words appear in said section.

This amendment shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944. CHESTER BOWLES, Administrator.

[F. R. Doc. 44-3721; Filed, March 16, 1944; 11:55 a. m.]

TITLE 36-PARKS AND FORESTS Chapter I-National Park Service

PART 20-SPECIAL REGULATIONS GREAT SMOKY MOUNTAINS NATIONAL PARK

Pursuant to the authority contained in the Act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 3), § 20.14 (a) of Title 36, Chapter I, Code of Federal Regulations, is amended to read as follows:

§ 20.14 Great Smoky Mountains National Park—(a) Fishing; open and closed waters. The following park streams in the States of North Carolina and Tennessee are open to fishing. All other streams are closed. Main streams only of waters listed are open; all tributaries thereof are closed:

(1) North Carolina section of the park.

Big Creek below Gunter Fork: Mt. Guyot Creek below Rocky Branch. Swallow Fork below McGinty Creek. Cataloochee Creek below Rough Fork: Palmer Creek below Lost Bottom Creek.

Caldwell Fork below McKee Branch. Oconaluftee River below Kephart Prong: Beech Flats Prong below Wild Cherry Branch.

Bradley Fork below Chasteen Creek. Raven Fork below Cherokee Reservation. Straight Fork below Ledge Creek. Deep Creek below Bumgarner Branch: Indian Creek below Georges Branch.

Noland Creek below Bald Branch. Forney Creek below Huggins Creek: Bear Creek below end of road at Poplar

Flats. Hazel Creek below Anthony Branch: Proctor Creek below Boomer Branch,

(2) Tennessee section of the park.

Greenbrier Creek below Gabes Creek. Dunns Creek below Pinnacle Lead trail cross-

Middle Prong of Little Pigeon below Ramsey Prong. Eagle Rocks Branch below Chap-man Prong.

Roaring Forks below Enloe Hollow Branch. LeConte Creek below trail crossing at Chero-

kee Orchard. West Prong of Little Pigeon below Highway No. 71 bridge at Chimneys Camp Ground. Little River below Fish Camp Prong:

Fish Camp Prong below Goshen Prong. Jakes Creek below Blanket Mountain trail crossing.

Middle Prong of Little River below Thunderhead Prong. West Prong of Little River below Walker Valley trail bridge. Abrams Creek below Anthony Creek Panther Creek below Bear Den Branch.

Issued this 6th day of March 1944. [SEAL] OSCAR L. CHAPMAN, Assistant Secretary of the Interior.

[F. R. Doc. 44-3731; Filed, March 17, 1944; 10:39 a. m.]

TITLE 37-PATENTS AND COPY-RIGHTS

Chapter I-Patent Office, Department of Commerce

PART 1-RULES OF PRACTICE

PART 5-TRADE-MARKS

PRACTICE TO BE FOLLOWED IN CERTAIN CASES

March 17, 1944.

The last sentence of § 1.153 (a) is amended to read as follows:

In contested cases the practice on points to which the rules are not applicable shall conform as nearly as practicable to the Rules of Civil Procedure for the District Courts of the United States.

Section 5.60 is amended to read as follows:

§ 5.60 Practice followed in opposi-tion; cancellation proceedings. The proceedings, on oppositions, and on applications for cancellation, shall follow, as nearly as practicable, the practice in interferences between applications for patents. Pleadings and procedure with respect thereto shall be governed by the Rules of Civil Procedure for the District Courts of the United States except as otherwise provided.

(Sec. 483 R.S.: U.S.C. title 35, sec. 6) [SEAL]

CONWAY P. COE.

Commissioner.

Approved: To take effect May 1, 1944. WAYNE C. TAYLOR. Acting Secretary of Commerce.

[F. R. Doc. 44-3767; Filed, March 17, 1944; 11:52 a. m.]

TITLE 43-PUBLIC LANDS: INTERIOR

Chapter I-General Land Office (Appendix)

[Public Land Order 212]

PARTIAL REVOCATION OF LAND WITHDRAWAL

CALIFORNIA

Revoking in part Executive Order No. 5827 of March 28, 1932, as amended by Public Land Order No. 65 of November 30, 1942, withdrawing public lands for use of the War Department for military purposes.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 5827 of March 28. 1932, as amended by Public Land Order No. 65 of November 30, 1942, withdrawing public lands for use of the War Department for military purposes, is hereby revoked so far as it affects the public lands within the following-described areas:

MOUNT DIABLO MERIDIAN

T. 27 N., R. 14 E., Secs. 1 to 6, inclusive; Sec. 7, NE'4; Secs. 8 to 17, inclusive; Secs. 21 to 27, inclusive; Sec. 35, E12; Sec. 36. Tps. 28 to 32 N., R. 14 E. Tps. 27 to 32 N., R. 15 E. T. 27 N., R. 16 E., Sec. 7; Sec. 8, lots 4, 5, 6, 7, and S½SW¼; Sec. 16, lots 3, 4, 5, and 6; Sec. 17: Secs. 19, 20, and 21: Secs. 28 to 33, inclusive. T. 28 N., R. 16 E Secs. 1 to 11, inclusive; Sec. 12, N₂, SE'4; Secs. 13 to 17, inclusive. Tp3. 29 to 32 N., R. 16 E.

The jurisdiction over and use of such lands granted to the War Department by Executive Order No. 5827 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of the lands until 10:00 o'clock a.m. of the sixty-third day from the date on which it is signed. whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR Part 296, to the extent that these regulations are applicable.

ARE FORTAS. Acting Secretary of the Interior. MARCH 6, 1944.

[F. R. Doc. 44-3732; Filed, March 17, 1944; 10:39 a. m.]

TITLE 49-TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

> PART 95-CAR SERVICE [S. O. 187]

TRANSPORTATION OF CERTAIN POTATOES IN REFRIGERATOR CARS

At a session of the Interstate Commerco Commission, Division 3, held at its office in Washington, D. C., on the 16th day of March, A. D. 1944.

It appearing, that the War Food Administration has advised this Commission that due to its program to divert to the manufacture of feed, starch, alcohol, or other processed products, potatoes, other than sweet, (1) below U.

^{*}Copies may be obtained from the Office of Price Administration.

S. Commercial or below eighty percent (80%) U. S. No. 1 quality or (2) below U. S. No. 2 grade 1½" minimum it is unnecessary to transport such potatoes in refrigerator cars; that transporting traffic not needing protection from heat or cold diminishes the use and supply of refrigerator cars for commodities requiring such protection; in the opinion of the Commission an emergency exists requiring immediate action: It is ordered, That:

§ 95,335 (a) Use of refrigerator cars prohibited for transporting potatoes, other than sweet, below prescribed grade. No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move any refrigerator car loaded with potatoes, other than sweet, grading below U. S. Commercial or below eighty percent (80%) U. S. No. 1 quality from any point in the States of Connecticut, Maine, Massachusetts, Michigan, Minnesofa, New Hampshire, New Jersey, New Pennsylvania, North Dakota, Rhode Island, South Dakota, Vermont, or Wisconsin, nor shall accept for transportation or move any refrigerator car loaded with potatoes, other than sweet, grading below U. S. No. 2 grade 1%" minimum, from any point in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington, or Wyoming.

(b) Use of refrigerator cars for transporting potatoes, other than sweet, of the prescribed minimum grade or above the prescribed minimum grade. No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move any refrigerator car loaded with potatoes, other than sweet, of the minimum grade or above the minimum grade prescribed in paragraph (a) of this section unless or until the shipper or consignor thereof surrenders with the bill of lading to the carrier's agent a Federal State Inspection Certificate or, in the event a Federal State Shipping Point Inspection Certificate is not procurable, a written assurance that such shipment of potatoes is of the minimum grade or above the minimum grade prescribed in paragraph (a) of this section.

(c) Exemption. The provisions of this order shall not be construed to prohibit the acceptance for transportation or movement of any refrigerator car loaded with potatoes, other than sweet, of any grade for seed purposes: Provided, The sacks containing the potatoes, are tagged with the respective state certified or war approved seed tags, And provided further, That the state certificate certificate or war approved seed certificate is surrendered with the bill of lading to the carrier's agent.

(d) Application. (1) The provisions of this order shall apply to intrastate as well as interstate traffic.

(2) The provisions of this order shall not apply to refrigerator cars completely loaded, or accepted for transportation or moving prior to the effective date of this order. (e) Tariff provisions suspended. The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended.

(f) Announcement of suspension. Each of such railroads or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(g) Special and general permits. The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S.C. 1 (10)-(17)).

It is further ordered. That this order shall become effective at 7:00 a. m., March 20, 1944; that a copy of this order and direction shall be served upon each State Commission enumerated in the first ordering paragraph of this order; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 44-3760; Filed, March 17, 1944; 11:47 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

SHOSHONE PROJECT, WYO.

PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

JANUARY 1, 1944.

The Secretary of the Interior.

SIR: From recent investigations in connection with the Shoshone project, the withdrawal of the hereinafter described land, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by Departmental order of April 20, 1928, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the land hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other land by said order or affect any other order withdrawing or reserving the land hereinafter listed.

SHOSHONE PROJECT

SIXTH PRINCIPAL MERIDIAN WYOMING

T. 57 N., R. 99 W., Sec. 34, S½NE¼.

Respectfully.

H. W. BASHORE, Commissioner.

I concur: March 2, 1944.

FRED W. JOHNSON,

Commissioner of the General

Land Office.

The foregoing recommendation regarding the Shoshone project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a.m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR Part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

Michael W. Straus, First Assistant Secretary.

March 7, 1944.

[F. R. Doc. 44-3735; Filed, March 17, 1944; 10:39 a. m.]

Office of Indian Affairs.

CROW INDIAN IRRIGATION PROJECT, MONT.
CONSTRUCTION CHARGES ON WILLOW CREEK STORAGE WORKS

Temporary public notice fixing construction charges on the Willow Creek Storage Works, Crow Indian Irrigation Project. Montana.

Section 8 of the act of June 4, 1920 (41 Stat. 763-764), as amended by the act of May 26, 1926 (44 Stat. 658), among other things provides:

The expenditures for irrigation work on the Crow Reservation, Montana, heretofore or hereafter made, as hereinbefore provided, are hereby declared to be reimbursable under such rules and regulations as the Scoretary of the Interior may prescribe and shall constitute a lien against the land benefited, regardless of ownership, including all lands which have heretofore been sold or patented.

The act of March 7, 1928 (45 Stat. 210) as supplemented requires that

The cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projective projective.

ects and shall be collected by the Secretary as required by such law,

Appropriations for the construction of the Willow Creek Dam as authorized by the act of May 10, 1939 (53 Stat. 702-703) and subsequent appropriation acts for this project made the funds so expended reimbursable.

The cost tentatively of the Willow Creek Storage Works, subject to subsequent adjustment, is fixed at \$850,000.00. This sum is tentatively prorated against all project irrigable acreage under Lodge Grass No. 1, Lodge Grass No. 2, Reno, and Agency Ditches of the Crow Indian Irrigation Project, and against such other irrigable acreages as may hereafter be designated thereunder by supplemental order or contract.

Until such time as the final irrigable acreage benefited has been fixed definitely and per acre assessment determined definitely, a partial assessment is hereby levied for the calendar year of 1944, and for each year thereafter until further order, of \$1.00 per acre against all irrigable lands under the ditches heretofore named for which water for irrigation purposes can be delivered. This annual partial assessment shall be due and payable on or before November 15, 1944, and on the same date each year thereafter. All payments made by the landowner under this order for Willow Creek Storage benefits shall be credited on his proportionate per acre share of the total costs of the storage works when finally determined.

The operation of the Willow Creek Storage Works shall in no way affect the pro rata distribution of normal flow waters of the Crow Indian Irrigation project delivered to irrigable lands of the project within the watershed by the Court Water Commissioner, acting under the direction of the United States District Court for the District of Montana in the case of United States v. Powers, et al., Civil No. 75.

Crow Indian Irrigation Project water users under Upper Little Horn No. 2, Bozeman Trail, and Forty Mile Ditches, and all so-called private water users in the Little Big Horn watershed may participate in Willow Creek Storage benefits, either by direct flow or by use of substituted waters from the Little Big Horn River, to the extent the Crow Indian Irrigation Project Engineer determines there is a surplus of Willow Creek storage water available over and above that required by project lands under Lodge Grass No. 1, Lodge Grass No. 2, Reno, and Agency Ditches. Participation shall be made by filing an application therefor and upon payment of the per acre charge herein fixed or as may be hereafter determined and fixed.

No storage, operation and maintenance charges shall be assessed during the 1944 calendar year for the operation of the Willow Creek Storage Works.

OSCAR L. CHAPMAN, Assistant Secretary.

March 1, 1944.

[F. R. Doc. 44-3733; Filed, March 17, 1944; 10:39 a. m.]

INTERSTATE COMMERCE COMMIS-SION.

[S. O. 70-A, Special Permit 135]

RECONSIGNMENT OF SEED POTATOES AT CHICAGO, ILLINOIS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 13 or 14, 1944, by W. J. Engel Company of car FGE. 50168, seed potatoes, now on the Wabash Railroad, to McClure, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C. and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

> HOMER C. KING. Director, Bureau of Service.

[F. R Doc. 44-3763; Filed, March 17, 1944; 11:47 a. m.]

[S. O. 70-A, Special Permit 136]

RECONSIGNMENT OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A incofar as it applies to the reconsignment at Chicago, Illinois, March 14 or 15, 1944, by M. Lapidus and Sons of car PFE 92031, carrots, now on the Wabash Railroad, to Gary, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement: and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1944.

> HOMER C. KING, Director, Bureau of Service.

[F. R. Doc. 44-3764; Filed, March 17, 1914; 11:47 a. m.]

[S. O. 70-A, Special Permit 137]

RECONSIGNMENT OF POTATOES AT OTTAWA AND CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A incofar as it applies to the reconsignment March 15 or 16, 1944, by National Produce Company of car LIDT 3600, potatoes, now on the Burlington Lines at Ottowa, Illinois, to Seymour, Indiana, and of car LIDT 17953, potatoes, now on the Wood Street Terminal, Chicago, Illinois, to Duluth, Minnesota, for dehydration.

The waybills chall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

> HOMER C. KING. Director, Bureau of Service.

[F. R. Doc. 44-3765; Filed, March 17, 1944; 11:47 a. m.]

[S. O. 70-A, Special Permit 133]

RECONSIGNMENT OF PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To dicregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 15 or 16, 1944, by Yeckes-Eichenbaum Company of car PFE 45431, peas, now on the Chicago Produce Terminal to New York, New York, (B. & O.)

The waybill chall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

> Homer C. King, C Director, Bureau of Service.

[F. R. Doc. 44-3766; Filed, March 17, 1944; 11:47 a. m.]

[S. O. 178, Special Permit 73]

LOADING OF LARD AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one car with lard by the Agar Packing Company at Chicago, Illinois, and the move-ment of the one refrigerator car so loaded from that point not later than March 20, 1944, to Mexico City, Mexico. (I. C.-M. P.)
The waybill shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1944.

> HOMER C. KING, Director, Bureau of Service.

[F. R. Doc. 44-3761; Flied, March 17, 1944; 11:47 a. m.]

[S. O. 178, Special Permit 74]

LOADING OF LARD AT RICHMOND, VA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering. paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car NX 2491 with lard by Kingan and Company at Richmond, Virginia, and the movement of that car so loaded from that point March 15, 1944, to Washington, D. C. (R. F. & P.—B. & O. Delivery)

The waybill shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per djem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

> HOMER C. KING, Director, Bureau of Service.

Fr. R. Doc. 44-3762; Filed, March-17, 1944; 11:48 a. m.]

OFFICE OF ALIEN PROPERTY CUS-TODIAN.

[Vesting Order 3251]

LUDWIG B. BERMANN

In re: Estate of Ludwig B. Bermann, deceased; File D-28-1873; E. T. sec. 1497.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Robert J. Fulton, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Paula Bermann, Germany,

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and ciaim of any kind or character whatsoever of Paula Bermann, in and to the Estate of Ludwig B. Bermann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts. pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive order.

. Dated: March 7, 1944.

LEO T. CROWLEY. [SEAT.] Alien Property Custodian.

[F. R. Doc. 44-3679; Filed, March 16, 1944; 11:21 a. m.]

[Vesting Order 3252]

Отто Воск

In re: Estate of Otto Bock, deceased; File D-28-2058; E. T. sec. 2322.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests heroin-after described are property which is in the process of administration by Major H. Tremaine, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles:

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Ger-

many, namely,

Nationals and Last Known Address

Willy Otto or surviving heirs, Germany. Erma Bahr or surviving heirs, Germany. Artur Otto or surviving heirs, Germany. Erich Otto or surviving heirs, Germany, Frida Kardel or surviving heirs, Germany.

And determining that--(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Allen Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Willy Otto or surviving heirs, Erma Bahr or surviving heirs, Artur Otto or surviving heirs, Erich Otto or surviving heirs, Frida Kardel or surviving heirs, and each of them, in and to the Estate of Otto Bock, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

Leo T. Crowley,
Alien Property Custodian.

[F. R. Doc. 44-3680; Filed, March 16, 1944; 11:21 a. m.]

[Vesting Order 3253]

OSCAR A. CHRISTIE

In re: Estate of Oscar A. Christie, deceased: File D-28-4240; E. T. sec. 7259. Under the authority of the Trading with the Enemy Act. as amended and

with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Herman F. Christie, Administrator, 5402 Horger Avenue, Dearborn, Michigan, acting under the judicial supervision of the Probate Court for the County of Wayne, Michigan;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Ger-

many, namely

National and Last Known Address

Gerda Christopherson, Germany.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$2,945.04, which is in the process of administration by and is in the possession and custody of Herman F. Christle, administrator of the estate of Oscar A. Christle, deceased; also all right, title, interest and claim of any kind or character whatsoever of Gerda Christopherson in and to the estate of Oscar A. Christle, deceased,

to be held, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien' Property Custodian. This shall

not be deemed to limit the powers of the Allen Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Allen Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Allen Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

Leo T. Crowley, Alien Property Custodian.

[F. R Doc. 44-3631; Filed, March 16, 1944; 11:21 a. m.]

[Vesting Order 3254]

HANS F. CLAUSEN

In re: Estate of Hans F. Clausen, deceased; File D-28-4003; E. T. sec. 6933.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Minnie Clausen and Matilde Ronne, also known as Mathlida Ronne, Co-Executrices, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda:

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Ger-

many, namely,

National and Last Known Address

Louise Arneman, Germany.

And determining that—

(3) If such national is a percon not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Louise Arneman, in and to the Estate of Hans F. Clausen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an ap-

propriate spacial account or accounts, pending further determination of the Allen Property Custodian. This shall not be deemed to limit the powers of the Allen Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be naid

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[P. R. Doc. 44-3632; Filed, March 16, 1944, 11:21 a.m.]

[Vesting Order 3255]

MINNA DETERT

In re: Estate of Minna Detert, deceased; File: F-28-3715; E. T. sec. 6884.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Richard Deterf, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany,

namely,

Nationals and Dast Known Address

Martha Gerber, Germany. Hugo Detert, Germany. Henny Schmidt, Germany. Gertrude Schaller, Germany. Helma Fleck, Germany. Theeder Fleck, Germany.

Thecdor Fleck, Germany.
Helro, devices, legatess, or personal reprecentatives, names unknown, of Ilse Fleck,
deceased, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martha

No. 56---3

Gerber, Hugo Detert, Henny Schmidt, Gertrude Schaller, Helma Fleck, Theodor Fleck, and heirs, devisees, legatees or personal representatives, names unknown, of Ilse Fleck, deceased, and each of them, in and to the Estate of Minna Detert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3683; Filed, March 16, 1944; 11:22 a. m.]

[Vesting Order 3256] MARIA HOBITZ

In re: Estate of Maria Hobitz, deceased; File D-28-2225; E. T. sec. 2933.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Placer:

Placer;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely.

Nationals and Last Known Address

Katrina Klink, also known as Katharine Klenk, or her surviving issue, Germany.

Christina Strauber, also known as Christine Strobel, or her surviving issue, Germany.

Mrs. Wilhelm Hary, also known as Frieda-Wilhlem Harz, or her surviving issue, Germany.

Mrs. Marie Jwinner, also known as Marie Gwinner, or her surviving issue, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national

interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katrina Klink, also known as Katharine Klenk, or her surviving issue, Christina Strauber, also known as Christine Strobel, or her surviving issue, Mrs. Wilhelm Hary, also known as Frieda-Wilhlem Harz, or her surviving issue, and Mrs. Marie Jwinner, also known as Marie Gwinner, or her surviving issue, and each of them, in and to the Estate of Maria Hobitz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

Leo T. Crowley, Alien Property Custodian.

[F. R. Doc. 44-3684; Filed, March 16, 1944; 11:22 a. m.]

[Vesting Order 3257] HISAHIKO KOKUBO

In re: Estate of Hisahiko Kokubo, deceased; File: D-39-17386; E.T. sec. 9473 (H-137).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended; and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property, which is in the process of administration by Masaki Tanaka, Administrator, acting under the judicial supervision of the Circuit Court of the Fifth Judicial Circuit, Territory of Hawali;

(2) Such property and interests are payable or deliverable to, or claimed by, a na-

tional of a designated enemy country, Japan, namely,

National and Last Known Address Misato Nishiyama, Japan.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Misato Nishiyama in and to the Estate of Hisahiko Kokubo, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3685; Filed, March 16, 1914; 11:22 a. m.]

[Vesting Order 3258]

ELLA MCINERNY.

In re: Estate of Ella McInerny, deceased; File: D-39-17377; E. T. sec. 9472 (H-124).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bishop Trust Company, Limited, Executor, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii:

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Tamie Watanabe, Japan. Kazunosuke Kifune, Japan. Shima Kifune, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Tamie Watanabe, Kazunosuke Kifune and Shima Kifune, and each of them, in and to the Estate of Ella McInerny, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-3686; Filed, March 16, 1944; 11:22 a. m.]

> [Vesting Order 3259] GUSTAVE NEUMANN

In re: Estate of Gustave Neumann, also known as Gustave Newmann, deceased; File D-6-994; E. T. sec. 7489.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Eavings Accociation, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda:

(2) Such property and interests are payable or deliverable to, or claimed by, na-tionals of a designated enemy country, Germany; namely,

Nationals and Last Known Address

Mrs. Mary Korosszegi, (Austria) Germany. Children, names unknown, of Mrs. Mary Korosszegi, (Austria) Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such percons be treated as na-tionals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatscever of Mrs. Mary Korosszegi, and children, names unknown, of Mrs. Mary Korocczegi, and each of them, in and to the Estate of Gustave Neumann, also known as Gustave Newmann, deceased,

to be held, used, administered, liquidated. sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Dcc. 44-3687; Filed, March 16, 1944; 11:23 a. m.]

[Vesting Order 3260]

GRACE ROKUMOTO

In re: Guardianship estate of Grace Rokumoto, a minor; File: F-39-2264; E. T. sec. 3855.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9035, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Guardian, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Japan;

namely.

National and Last Known Address

Grace Rokumoto, Japan.

And determining that-

(3) If such national is a person not within designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive or-der or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Grace Robumoto, in and to the Guardianship Estate of Grace Rokumoto, a minor, in the possession of the Bank of America National Trust and Savings Accedation, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts. pending further determination of the Allen Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property, or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-3683; Filed, March 16, 1944; 11:23 a. m.]

[Vesting Order 3261] SARAH SCHNEE

In re: Estate of Sarah Schnee, deceased; File D-34-706; E.T. sec. 9019.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, and Alvin Snow, Executors, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary; namely.

namery,

Nationals and Last Known Address Anna Schnee, Budapest, Hungary. Charlotte Schnee, Budapest, Hungary.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Schnee and Charlotte Schnee, and each of them, in and to the Estate of Sarah Schnee, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY!
Alien Property Custodian.

[F. R. Doc. 44-3689; Filed, March 16, 1944; •11:23 a. m.]

[Vesting Order 3262]

ROSE STRASSER

In re: Estate of Rose Strasser, deceased. File No. D-17-322; E. T. sec. 7458.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

·Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Irving Schneider and Alexander S. Rosenberg, executors, acting under the judicial supervision of the Surrogate's Court, Westchester County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary; namely,

Nationals and Last Known Address

Ester Weiser, Hungary. Teris Zolden, Hungary. Willi Neuman, Hungary. Leris Neuman, Hungary.

And determining that ---

3. If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ester Weiser, Teris Zolden, Willi Neuman and Leris Neuman, and each of them, in and to the estate of Rose Strasser, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian:

[F. R. Doc. 44-3690; Filed, March 16, 1944; 11:23 a. m.]

[Vesting Order 3263]

MARY A. STRUCK

In re: Estate of Mary A. Struck, deceased; File D-28-4195; E.T. sec. 7212.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that-

(1) The property and interests heroinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany,

namely,

Nationals and Last Known Address

Ferdinand Struck, Germany. Maria E. Struck, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ferdinand Struck and Maria E. Struck, and each of them, in and to the estate of Mary A. Struck, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time

as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3691; Filed, March 16, 1944; 11:23 a. m.]

[Vesting Order 3264] HELEN VAN DEVENTER

In re: Estate of Helen Van Deventer, deceased, and trust created under the will of Helen Van Deventer; File D-28-2609; E. T. sec. 4203.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation

Finding that—

- (1) The property and interests hereinafter described are property which is in the process of administration by the Security-First National Bank of Los Angeles, Executor and Trustee under Will, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Ventura;
- (2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Menge, Germany.
Ulsale Busse, Germany.
Emma Muncker, Germany.
Sophie Lehne, Germany.
Heinrich Busse, Jr., Germany.
Vermer Lehne, Germany.
Anna Menge, Germany.
Heinrich Busse, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of William Menge, Ulsale Busse, Emma Muncker, Sophle Lehne, Heinrich Busse, Jr., Vermer Lehne, Anna Menge and Heinrich Busse, and each of them, in and to the estate of Helen Van Deventer, deceased, and in and to the trust created under the will of Helen Van Deventer,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such

property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Allen Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Allen Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

Leo T. Crowley,
Alien Property Custodian.

[F. R. Doc. 44-3692; Filed, March 16, 1914; 11:24 a.m.]

[Vesting Order 3265]

J. F. O. WALTER

In re: Estate of J. F. O. Walter, also known as Joseph Francis Oscar Walter, deceased; File D-6-193; E. T. sec. 6014.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

- (1) The property and interests hereinafter described are property which is in the process of administration by Mrs. Francis Horsley, Executrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;
- (2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country Germany, namely,

Nationals and Last Known Address

Fanny Walter (Austria) Germany.
Toni Klein (Austria) Germany.
Mies Mary Lindner (Austria) Germany.
Children of Rudolph Merkile (names unnown) (Austria) Germany.

known) (Austria) Germany.
Children of Johann Kaufman (names unknown) (Austria) Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by caid Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Fanny Walter, Toni Klein, Mies Mary Lindnor, children of Rudolph Merkle (names unkinown) and children of Johann Kaufman (names unknown), and each of them, in and to the

estate of J. P. O. Walter, also known as Joseph Francis Oscar Walter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Allen Property Custodian. This shall not be deemed to limit the powers of the Allen Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in licu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form AFC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL]

Leo T. Crowley, Alien Property Custodian.

[F. R. Doc. 44-3633; Filed, March 16, 1944; 11:24 a. m.]

[Vesting Order 3276]

LUCRETIA A. BRYDON

In re: Trust under will of Lucretia A. Bryden, deceased; File No. D-27-1031; E. T. sec. 1392.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

- (1) The property and interests hereinafter described are property which is in the process of administration by The Chase National Bank of the City of New York and Ira L. Anderson, as trustees, acting under the judicial supervision of the Surrogate's Court, New York County, New York; and
- (2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Reginald Arthur Villiers Forbes, Hungary.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests;

All right, title, interest and claim of any kind or character whatsoever of Reginald Arthur Villiers Forbes in and to the trust created under the will of Lucretia A. Brydon,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country", as used herein, shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-3694; Filed, March 16, 1944; 11:24 a. m.]

[Vesting Order 3277]

LAWRENCE ETTEN VS. NICHOLAS ETTEN, ET AL.

In re: Partition Proceedings, Lawrence Etten vs. Nicholas Etten, et al.; File D-28-2022; E. T. sec. 2098-B.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by John F. O'Toole, 7 South Dearborn Street, Chicago, Illinois, Master in Chancery, acting under the judi-cial supervision of the Superior Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely.

Nationals and Last Known Address

Catharine Hens (nee Etten), also known as Catherine, Katharina or Katharine Hens, Ger-

Helena Borbach (nee Etten), also known as Helene Burbach, Germany.

Johann Etten, Germany.

Gertrude Klinkhammer (nee Leyendecker), Germany.

Anna Leyendecker, Germany.

Elizabeth Andresen (nee Leydendecker), also known as Elisabeth Andressen, Germany. Joseph Shilli, also known as Josef Schilli, Germany.

Gertrud Theresia Wirtz (nee Shilli)

(Schilli), Germany.

Katharina Sophie Kalser, also known as Catherine Sofie Kaiser (nee Shilli) (Schilli),

Johann Shilli (Schilli), Germany. Nikolaus Shilli (Schilli), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Catharine Hens (nee Etten), also known as Catherine, Katharina or Katharine Hens, Helena Borbach (nee Etten), also known as Helene Burbach, Johann Etten, Gertrude Klinkhammer (nee Leyendecker), Anna Leyendecker, Elizabeth Andresen (nee Leyendecker), also known as Elisabeth Andressen, Joseph Shilli, also known as Josef Schilli, Gertrud Theresia Wirtz (nee Shilli) (Schilli), Katharina Sophie Kaiser (nee Shilli) (Schilli), also known as Catherine Sofie Kaiser, Johann Shilli (Schilli) and Nikolaus Shilli (Schilli), and each of them, in and to the proceeds derived from the sale (and rents) of real estate, by a decree of the Superior Court of Cook County, in the partition proceedings entitled Lawrence Etten vs. Nicholas Etten, et al., File 43-S-

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

LEO T. CROWLEY, [SEAT.] Alien Property Custodian.

[F. R. Doc. 44-3695; Filed, March 16, 1944; 11:24 a. m.]

[Vesting Order 3278]

SARA M. FRANK

In re: Estate of Sara M. Frank, deceased; File D-28-1500; E. T. sec. 239.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process, of administration by Alfred Rathheim, as Administrator c. t. a. and Successor Trustee, and Edgar A. Samuel, as Administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country,

Germany, namely,

Nationals and Last Known Address

Henrich Monheimer, and his issue, Germany.

Elsa Monheimer Ronsheimer, and her issue, Germany.

Frieda Monheimer Belz, and her issue. Germany.

Franziska Neubronner, and her issue, Germany.

Dr. Gustáv Friedrich Neubronner, Germany, Henny Monheimer Sternberg, and her issue, France.

Lilo Sternberg, France. Johanna Wertheimer, Germany. Bertha Wertheimer, Germany. Thekla Wertheimer, Germany. Elise Wertheimer, Germany. Asta Ortenberger, Germany. Adolph Rivert, Germany.

And determining that-

(3) Henny Monheimer Sternberg, and her issue and Lilo Sternberg, citizens or subjects of a designated enemy country, Germany, and within an enemy-occupied country, France, are nationals of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Monheimer, and his issue, Elsa Monheimer Ronsheimer, and her issue, Frieda Monheimer Belz, and her issue, Franziska Neubronner, and her issue, Dr. Gustav Friedrich Neubron-ner, Henny Monheimer Sternberg, and her issue, and Lilo Sternberg, and each of them, in and to the trust created under paragraph Ninth of the will of Sara M. Frank, deceased; and

All right, title, interest and claim of any kind or character whatsoever of Johanna Werthelmer, Bertha Werthelmer, Thekla Wertheimer, Elise Wertheimer, Asta Ortenberger and Adolph Rivert, and each of them, in and to the estate of Sara M. Frank, doceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL]

Leo T. Crowley,
Alien Property Custodian.

[F. R. Doc. 44-3696; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3279]

MINNA GODWIN GODDARD

In re: Trust under the last will and testament of Minna Godwin Goddard, deceased; File D-28-1547; E. T. sec. 202.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Cornelius Von E. Mitchell, 21 East 53rd Street, New York City, and William Mitchell Van Winkle, Apawamis Avenue, Rye, New York, Trustees, acting under the judicial supervision of the Surrogate's Court, Nassau County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Personal representatives, heirs, next of kin and distributees, whose names are unknown, of Lucy Gardiner, deceased. Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests: All right, title, interest and claim of any kind or character whatseever of the personal representatives, helro, next-of-lin and distributees, whose names are unknown, of Lucy Gardiner, deceased, in and to the trust created under the Last Will and Testament of Minna Godwin Goddard, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Dec. 44-3697; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3280] ABRAHALI L. JACOES

In re: Estate of Abraham L. Jacobs, deceased; File No. D-66-620; E.T. sec. 5136.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Allen Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the New York Trust Company, as successor executor, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Pauline Cecil Gottscho, formerly known as Pauline Cecil Jacobs, whose last known address is Germany (Austria);

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest, Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatscever of Pauline Cecil Gottecho, formerly known as Pauline Cecil Jacobs, in and to the estate of Abraham L. Jacobs, deceased, including the right to receive the annual sum of Fifteen Hundred Dollars (61590.60) in accordance with the torms and provisions of a certain separation agreement, dated March 1, 1907, between Abraham L. Jacobs, Pauline Cecil Jacobs and The Colonial Trust Company of the City of New York, as modified by an agreement dated June 16, 1909, and as ratified by Paragraph Fifth of the will of Abraham L. Jacobs, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Allen Property Custodian. This shall not be deemed to limit the powers of the Allen Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Allen Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-3693; Filed, March 16, 1944; 11:25 a.m.]

[Vesting Order 3281]

ANTON KOLLEGGER

In re: Estate of Anton Kollegger, deceased; File D-28-8270; E.T. sec. 9433.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely.

Nationals and Last Known Address

Marie Kroepfl, Germany. Julia Siegel, Germany. Louisa Bauer, Germany. Johanna Hassenburger, Germany. Johan Kollegger, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Kroepfi, Julia Siegel, Louisa Bauer, Johanna Hassen-burger and Joham Kollegger, and each of them, in and to the Estate of Anton Kollegger, deceased,

to be held, used, administered, liquidated. sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or 'to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

LEO T. CROWLEY, [SEAL] Alien Property Custodian.

[F. R. Doc. 44-3281; Filed, March 16, 1944; 11:25 a. m.]

' [Vesting Order 3282]

SALLY PERRY PECK

In re: Estate of Sally Perry Peck, deceased; File D-39-2056; E.T. sec. 7939.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Alvertus J. Morse, Esq. as Executor, acting under the judicial supervision of the Probate Court, County of Hampshire, Massachusetts;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely.

National and Last Known Address

Mrs. Maki Fugita Sonobe, Japan.

And determining that-

(3) If such national is a person not within designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and,

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive or-der or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Maki Fugita Sonobe in and to the Estate of Sally Perry Peck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-3700; Filed March 16, 1944, 11:26 a. m.]

[Vesting Order 3283]

PAUL SCHAEFER

In re: Estate of Paul Schaefer, deceased; File No. D-28-8260; E. T. sec. 9427.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Chase National Bank of New York, Executor, acting under the judicial supervision of the Surrogate's Court of New York County, State of New York:

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals and Last Known Address

Mary Schunemann, and her children,

whose names are unknown, Germany.

Paul Schaefer, and his children, whose names are unknown, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the na-tional interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mary Schunemann, and her children, whose names are unknown and Paul Schaefer, and his children, whose names are unknown, and each of them, in and to the estate of Paul Schaefer, deceased,

to be held, used, administered, liqui-. dated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY. Alien Property Custodian.

[F. R. Doc. 44-3701; Filed, March 16, 1944; 11:26 a. m.]

[Vesting Order 3284]

THEODORE SIEPEN

In re: Estate of Theodore Siepen, deceased; File D-28-3921; E. T. sec. 6779. Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

—(1) The property and interests hereinafter described are property which is in the process of administration by Ernest F. Ellwanger, Executor, acting under the judicial supervision of the County Court of Kiowa County, Oklahoma;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country,

Germany, namely,

Nationals and Last Known Address

Fritz Wieken, Germany. William Aust, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fritz Wieken and William Aust, and each of them, in and to the estate of Theodore Siepen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3702; Filed, March 16, 1944; 11:26 a. m.]

[Vesting Order 3285]
ANNIE UBL

In re: Estate of Annie Ubl, deceased; File D-28-7847; E. T. sec. 8471.

No. 56-4

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by George Ubl, as administrator, acting under the judicial supervision of the Surrogate's Court, Queens County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country,

Germany, namely,

National and Last Known Address

John Ubl, Sr., Czechoslovakia,

And determining that—

(3) John Ubl, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Czechoolovakia, is a national of a designated enemy country, Germany;

(4) To the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or agt or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of John Ubl, Sr. in and to the estate of Annie Ubl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-3703; Filed, March 16, 1944; 11:26 a. m.]

[Vesting Order 3236]

EDWARD WENDLAND

In re: Estate of Edward Wendland, deceased; File D-28-2624; E.T. sec. 4079.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by E. M. Moore, Sr., 1113 Main Street, Higginsville, Missouri, Administrator, acting under the judicial supervision of the Frobate Court of the State of Missouri, in and for the County of Lafayette;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Carl Wendland, Germany. August Wendland, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carl Wendland and August Wendland, and each of them, in and to the estate of Edward Wendland, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated • enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-3704; Filed, March 16, 1944; 11:26 a. m.]

[Supplemental Vesting Order 3300]

E. LEITZ. INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 107, dated August 24, 1942, that E. Leitz, Inc., organized on April 22, 1916 and hereinafter referred to as the 1916 corporation, is a business enterprise within the United States which is a national of a designated enemy country (Germany);

2. Having found in Vesting Order Number 103, dated August 24, 1942, that E. Leitz, Inc., organized on March 29, 1941 and hereinafter referred to as the 1941 corporation, is a business enterprise within the United States which is a national of a designated enemy country (Germany);
3. Having found in the said vesting orders

Number 107 and Number 108 that E. Leitz,

G. m. b. H., is a national of a designated enemy country (Germany);
4. Finding that E. Leitz, G. m. b. H., has a claim against E. Leitz, Inc., 1916 corporation, or E. Leitz, Inc., 1941 corporation, in an amount which aggregated \$31,668.85 as of November 11, 1943 and is represented on the books and records of said companies as an account payable, subject, however, to any accruals or deductions subsequent thereto. and represents an interest in said business enterprise;

and determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the interests of E. Leitz, G. m. b. H., in E. Leitz, Inc., 1916 corporation and/or E. Leitz, Inc., 1941 corporation, represented on the books and records of said companies as an account payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid

in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to

allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 10, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-3705; Filed, March 16, 1944; 11:23 a. m.]

[Supplemental Vesting Order 3301]

NORTH AMERICAN MERCANTILE CO.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 175, dated September 28, 1942, that North American Mercantile Company is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that the following persons have claims against North American Mercantile Company in the amounts appearing opposite each name, which claims, as of September 28, 1942, aggregated \$3,501.60, subject, however, to any accruals or deductions subsequent thereto, and represent interests in North American Mercantile Company:

Vame:	Amount
Takaji Domoto	\$208.01
I. Goto	2, 247, 57
Katotoku Shoten	440.02
Suzuki Shoten	606.00

3. Finding that Takaji Domoto and I. Goto, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

4. Finding that Katotoku Shoten, whose principal place of business is located at Osaka, Japan, and Suzuki Shoten, whose principal place of business is located at Tokyo, Japan, are nationals of a designated enemy country (Japan);

and determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the interests of Takaji Domoto, I. Goto, Katotoku Shoten and Suzuki Shoten in North American Mercantile Company aggregating \$3,501.60 and represented on the books and records of North American Mercantile Company as accounts payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as -may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or

right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 10, 1944.

- [SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-3706; Filed March 10, 1944; 11:23 a.m.]

OFFICE OF DEFENSE TRANSPORTA-TION.

[Supp. Order ODT 3, Rev. 190]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MICHIGAN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,1 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize

¹Filed as part of the original document.

vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are

in conflict therewith.

- 2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.
- 3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.
- 4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.
- 5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transpor-

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of De-

fense Transportation, Washington, D. C.
This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. Young, Deputy Director, Office of Defense Transportation.

APPENDIX 1

- 1. Consolidated Freight Co. (a corporation), 100 Carroll Street, Saginaw, Mich.
- 2. David C. Doyle, doing business as Doyle Freight Lines, 142 Davenport Street, Saginaw, Mich.
- 3. Blair Transit Company (a corporation), 142 Davenport Street, Saginaw, Mich. 4. Douglas Trucking Lines, Inc., Owosco,

[F. R. Doc. 44-3738; Filed, March 17, 1944; 10:22 a. m.]

[Supp. Order ODT 3, Rev. 198]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KANSAS CITY, MO., AND MANHATTAN, KANS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,1 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for point action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diver-

sion, exchange, pooling, or other act.
4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Trans-

portation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as

Filed as part of the original document.

the Office of Defense Transportation by further order may designate.

Issued at'Washington, D. C., this 14th day of March 1944.

C. D. Young, Deputy Director, Office of Defense Transportation.

APPENDIX 1

- 1. P. F. Felton and R. J. LaBenne, doing business as Kansas Transport Freight Lines, a partnership, 522 North 9th Street, Salina, Kans.
- 2. Boyd Truck Lines, Inc., 500 West 4th Street, Kansas City, Mo.
- 3. Adams Transfer & Storage Co. (a Missouri Corporation), 226 West 4th Street, Kansas City, Mo.
- 4. J. W. Healzer, doing business as Healzer Cartage Company, 1125 East 3rd Street, Hutchinson, Kans.
- 5. Ship-By-Truck Company, doing business as Graham Ship-By-Truck Co., 1321 West 8th Street, Kansas City, Mo.
- 6. E. J. Diffley, doing business as E. J. Diffley Truck Line, 615 Jewell, Topeka, Kans.
- 7. Russel A. Hall, doing business as Hall Bros. Truck Line, 1245 Connecticut Street, Lawrence, Kans.
- [F. R. Doc. 44-3743; Filed, March 17, 1944; 10:24 a. m.]

[Supp. Order ODT 3, Rev. 198]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN BIRMING-HAM AND MOBILE, ALA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2, and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

- 1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.
- 2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this

order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

- 3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.
- 4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan. would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.
- 5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.
- 6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.
- 7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG, Deputy Director, Office of Defense Transportation.

APPENDIX 1

1. Avery Freight Lines; Inc., 108 State Street, Mobile, Ala.

- 2. Mercury Express, Inc., 2721 Eighth Avenue, Birmingham, Ala.
- [F. R. Doc. 44-3744; Filed, March 17, 1944; 10:25 a. m.]

[Supp. Order ODT 20A-78]

TAXICABS

GOORDINATED OPERATIONS IN CINCINNATI, OHIO, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,1 and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Cincinnati, Ohio, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his dlegal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the

¹Filed as part of the original document.

area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Transportation, Cincinnati, Defense Ohio, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein,

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-78" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Transportation, Cincinnati, Defense

Ohio.
8. This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th

day of March 1944.

C. D. YOUNG, Deputy Director, Office of Defense Transportation.

APPENDIX 1

Eimer Schambach, D. B. A. DeLuxe Yellow Cabs, 7 W. Eighth St., Covington, Ky.
Lawrence Volz, D. B. A. Arrow Cabs, 6
E. Mitchell Ave., St. Bernard, Ohio.

Edward H. Dames, D. B. A. Cheviot Cabs,

3733½ Glenmore Ave., Cheviot, Ohio. Edward S. Siebert & H. W. Hindersman D. B. A. Shamrock-Melrose Cab Co., 4923 Montgomery Rd., Norwood, Ohio.

Lula Norma Ryan, D. B. A. Norwood Yellow Cabs, 2096 Sherman Ave., Norwood, Ohio.

Lewis Lipp, D. B. A. St. Bernard Anchor Cabs, 4926-Vine St., St. Bernard, Ohio. Frank Westendorf, D. B. A. Latman Taxi

Service, 211 E. Wyoming Ave., Lockland, Ohio. John L. Russell, D. B. A. Turf Cabs, 5900 Vine St., Elmwood Place, Ohio.

Ernest Glass, D. B. A. Elmwood Taxi, 58131/2

Vine St., Elmwood Place, Ohio.
J. and A. C. Mattingly, D. B. A. Bellevue & Dayton Cab Co., 633 Sixth Ave., Dayton,

Wayne Kendle, D. B. A. Newport Ace Cab Co., 109 East Eighth St., Newport, Ky. William Turner, Sr., D. B. A. West Side

Cab Co., 438 West Eleventh St., Newport, Ky. Elmo Baber, D. B. A. Baber Cab Co., 612 York St., Newport, Ky.

Radley & Enzweiler, D. B. A. Dot-Knight Co., 5 E. Third St., Newport, Ky. Clarence J. Craig, D. B. A. Craig Cabs, 333 York St., Newport, Ky. Arthur Wehmeyer, D. B. A. Hilland Cab Co.,

11 River Road, Fort Thomas, Ky.

John J. Brady, D. B. A. Brady Cabs, 606 Sycamore St., Cincinnati, Ohio.

Checker Cab Co., 1119 Race St., Cincinnati, Ohio. Allen Cabs Inc., 278 Ludlow Avenue, Cin-

cinnati, Ohio. Leslie Aitchison, D. B. A. Reading Cabs,

918 Reading Rd., Reading, Ohio.

Lawrence E. Hanselman, D. B. A. Silverton
Taxi Co., 7134 Montgomery Rd., Silverton,

Fred G. Boss, D. B. A. Boss Cab Co., 731 Patterson St., Newport, Ky.

Harold Roland, D. B. A. Roland Cab Co., 107 E. Fifth St., Covington, Ky. Remer Johnson, D. B. A. Johnson Cabs, 612 Wyoming Ave., Lockland, Ohio.

James Mosley, D. B. A. Mosley Cabs, 226 Grove Rd., Woodlawn, Ohio. Walter R. Meyer, 1132 Seton Avenue, Cin-

cinnati, Ohio.

Edward J. Bethel, D. B. A. Queen City Cab, Bx. 357, R. R. #4, Price Hill, Cincinnati,

Edward Sullivan, D. B. A. Royal Taxi Cab. 6131 Graveland Avenue, Cincinnati, Ohio.

[F. R. Doc. 44-3736; Filed, March 17, 1944; 10:22 a. m.]

[Supp. Order ODT 20A-E0] TAXICABS

COORDINATED OPERATIONS IN SACRAMENTO, CALIF. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,1 and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Sacramento, California, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are

in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations

affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Sacramento, California, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-80" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Sacramento, Cali-

fornia.

8. This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th

day of March 1944.

C. D. YOUNG, Deputy Director, Office of Defense Transportation.

APPENDIX 1

Mrs. William B. Beall, DBA Beall Taxi, 231 Kay Street, Sacramento, Calif.
John Treantos, DBA City Taxi, 1017 6th

Street, Sacramento, Calif.
Carl F. Morlath or Toney Corey, DBA Greyhound or H & C Taxi, 215 Kay Street, Sacramento, Calif. Toddy Pappas, DBA Teddy's Taxi, 717 Capi-

tol Avenue, Sacramento, Calif. Mrs. Marie Littlefield, DBA Union & Club

Taxi, 1127 7th Street, Sacramento, Calif. Mr. C. Caristophel, DBA Black & White Taxi, 10151/2 10th Street, Sacramento, Calif.

[P. R. Dac. 44-3737; Filed, March 17, 1944; 10:22 a. m.]

LOCAL CARRIERS OF PROPERTY

RECOMMENDATION FOR JOINT ACTION PLANS

In order to conserve and providently utilize vital transportation equipment, materials and supplies, assure maximum utilization of such equipment, materials and supplies, and provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, the Office of Defense Transportation, by General Order ODT

Filed as part of the original document.

6A, as amended (8 F.R. 8757, 14582, 9 F. R. 2794), authorizes any two or more local carriers of property by commercial motor vehicle to formulate and submit for consideration plans for joint action and requests and authorizes persons having property for collection or delivery to participate with those carriers in the formulation and submission of such plans, which are designed to accomplish any of the above-stated purposes by one or more of the following methods:

(1) Alternate, stagger, or coordinate schedules or services between two or more points or within any area:

(2) Suspend schedules or service between two or more points or within any area, provided one or more of the participating carriers provides service between those points or within that area:

(3) Reciprocally exchange shipments of property for transportation between two or more points or within any area;

(4) Pool traffic, revenues, or both, between two or more points or within any

(5) Jointly load for transportation or operate a motor truck or trucks between two or more points or within any area;

(6) Divert traffic or establish arrangements with other carriers for the interchange of equipment;

(7) Operate joint terminals;

(8) Appoint one of their own number or any other person or carrier to act as its or their individual, common or joint agent, to concentrate, receive, load, forward, unload, distribute, and deliver property; receive, account for, and distribute gross or net revenues therefrom;

Pool or exchange manpower when by so doing the collection or delivery of property is facilitated;

(10) Jointly establish or operate a dispatching office or offices, the function of which shall be to obtain and receive information as to the availability of equipment and traffic and to route traffic and dispatch equipment when so doing will accomplish any of the purposes of General Order ODT 6A, as amended;

(11) Adopt operating rules or practices by which:

(i) A time will be established earlier than 3:00 p. m. during any calendar day after which no collection or delivery, the order for which is received after that time, will be made during such day;

(ii) A time will be established during any calendar day before or after which, during such day, property will not be accepted, collected or delivered;

(iii) The collection or delivery of property, which is once afforded and refused after advance notice, will be re-

(iv) Before attempting collection or delivery, definite arangements will be made to assure the prompt completion thereof upon arrival of a motor truck for that purpose:

(v) Limitations on the frequency of collections or deliveries will be established:

(vi) Limitations will be established in respect of the marking, tagging, packing or unpacking, consolidation, separation,

stacking or checking by the carriers of property which is the subject of collection or delivery;

(vii) Zones will be established for the purpose of utilizing any one or more of such operating rules or practices: Provided, however, That each such rule or practice adopted shall be administered fairly and without discrimination.

Provided, That General Order ODT 6A, as amended, shall not be construed to authorize any local carrier or carriers to utilize any of the methods described above unless directed so to do by the Office of Defense Transportation or unless pursuant to a contract, agreement or combination approved by the Interstate Commerce Commission or other authorized regulatory body.

No provision in this recommendation shall be construed to approve or imply approval of any program, agreement, act or discussion relating (but not limited) to: (1) The fixing of prices or of the terms and conditions for the payment of compensation for the performance of any transportation service, except for the adjustment of accounts between the participants in respect of the permissible action under this recommendation; (2) the use of any coercion, direct or indirect, by any local carrier or shipper to secure participation of any individual, company or group in the permissible action under this recommendation; or (3) boycott by two or more persons of any local carrier or person.

Each joint action plan shall be in writing, signed by each participant, and should state: (1) the full legal name, address and operating authority, if any, of each participant; (2) the territory or routes involved; (3) the specific method or methods of joint action to be used; (4) the practical application of these methods to the particular operation of the participants; (5) an estimate and explanation of the conservation to be accomplished; (6) the effect, if any, of the proposed joint action on the maintenance of adequate transportation service; and (7) the name and address of a person to whom communications in respect of the plan may be sent.

If the Office of Defense Transportation determines that any such plan will contribute substantially to the accomplishment of the purposes above-stated, the local carriers submitting the plan will be ordered by the Director of the Office of Defense Transportation to place that plan into operation.

The order will be confined to one or more of the specific methods above enumerated, and will expressly provide that all contractual arrangements made by the carriers to effectuate the joint action plan shall not extend beyond the effective period of the order.

It is recommended that the Chairman of the War Production Board find and certify under section 12, Public Law No. 603, 77th Congress (56 Stat. L. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with any such order is requisite to the prosecution of the war.1

Note: The recording and reporting requirements of this recommendation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG, Deputy Director. Office of Defense Transportation.

iF. R. Doc. 44-3745; Filed, March 17, 1944; 10:57 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

MAXIMUM PRICES FOR MALT BEVERAGES SOLD FOR IMMEDIATE CONSUMPTION

[Order 1 to Restaurant MPR 5-3, Amdt. 1]

Food and drink sold for immediate consumption. Maximum prices for malt beverages sold for immediate consumption.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 22 of Restaurant Maximum Price Regulation 5-3, Order No. 1 under Restaurant Maximum Price Regulation 5-3 is hereby amended in the following respects:

1. Section 2 (a) is amended by adding thereto the malt beverages set forth below, and the maximum prices thereof shall be as set out below:

Brand or trade name	Maximum prico per bottio		
	12-oz.	24-oz.	32-oz.
Domestic beer: Commander Pilsener. Gold Label. Jung Pilsener. Storck. Eulberg. Imported beer: Nortena.	Cents 18 18 18 18 18 18 23	Cents	Cents

2. Section 2 (a) is further amended as follows:

The price of 13¢ per 12-ounce bottle for Embassy Club Beer is corrected to 18¢ per 12-ounce bottle; and

The brand name "Carona", listed under Imported Beer, is corrected to read "Corona".

This amendment to Order No. 1 becomes effective March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808; Rest. MPR 5-3, 8 F.R. 12800; and Special Order No. 1 under Rest. MPR 5-3)

Issued at San Antonio, Texas, this 4th day of March 1944.

> FRANK M. COVERT, JR., District Director.

[F. R. Doc. 44-3722; Filed, March 16, 1944; 11:55 a. m.]

¹ See War Production Board Certificate 200, intra.

SELECTIVE SERVICE SYSTEM.

[Operations Order 28]

NEW YORK CITY

TRANSMITTAL OF FILES FROM LOCAL BOARDS TO BOARDS OF APPEAL

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

- 1. That the procedure provided for in § 627.13 (c) (3), Selective Service Regulations, for the transmittal of files from the local board to the board of appeal shall, for local boards situated in the City of New York, be ineffective as of March 13, 1944.
- 2. That on and after March 18, 1944, if the address of the principal place of employment of the registrant, as recorded on the Individual Appeal Record (Form 66), is outside the City of New York, the local boards situated in the City of New York shall transmit files on appeal to the State Director of Selective Service for the State in which is located the principal place of employment of the registrant for transmittal to the board of appeal whose area includes such place of employment.

LEWIS B. HERSHEY, Director.

March 16, 1944.

[F. R. Doc. 44-3724; Filed, March 16, 1944; 2:46 p. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 160-A 2-RO 1]

PHILADELPHIA, PA., MARKETING AREA

NOTICE OF REOPENING OF HEARING ON - HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area.

Notice is hereby given that the hearing which was held in Philadelphia, Pennsylvania, on September 23 and 24 and October 5, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area, will be reopened at 10 a. m., e. w. t., March 29, 1944, in the Washington Room, Benjamin Franklin Hotel, 19th and Chestnut Streets, Philadelphia, Pennsylvania. The reopened hearing will be held jointly with the Pennsylvania Milk Control Commission.

This notice is given pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR, 1941 Supp. 900.1–900.17; 7 F.R. 3350, 8 F.R. 2813).

This public hearing is for the purpose of receiving evidence, in addition to that given in the hearings held January 21 to 23, September 23 and 24, and October 5, 1943, with respect to the economic and marketing conditions and current supply

and demand conditions which relate to the amendments hereinafter set forth. The amendments under consideration are set forth below.

PROPOSED BY THE INTERSTATE MILK PRODUCERS' ASSOCIATION, INC.

- Adjust upward the Class II formula to bring price in line with cream and manufacturing milk values.
- 2. Adjust upward the Class I price which, combined with the Class II price, will return farmers in this area their full cost of production.
- Eliminate the 3-cent additional deduction now permitted at receiving stations.
- 4. Change producers' butterfat differential from 4 cents to 5 cents.
- 5. Add a provision to encourage the transfer and use in the marketing area of direct shipped milk.

PROPOSED BY THE WAWA DAIRY FARMS, INC.

1. Reconsider § 961.4 (c), § 961.8 (d), and § 961.8 (e).

PROPOSED BY THE DAIRY AND POULTRY BRANCH, OFFICE OF DISTRIBUTION

- 1. Change § 961.0 to § 961.1, renumber each following section in consecutive order, and make corresponding changes in the references to each section number.
- the references to each section number.
 2. Delete § 961.1 (a) (2) and substitute therefor the following:
- (2) The term "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator of the United States.
- 3. Substitute the term "War Food Administrator" for the term "Secretary" wherever appearing in the order.
- 4. In § 961.1 (a) (5) substitute the word "was" for the word "is" in line 5, and insert the words "during August 1943" immediately after the word "handler" in line 6.
- 5. In § 961.1 (a) (5), 3rd and 4th lines from the end of the first paragraph, delete the words "during any one of the months of October, November, December, and January" and substitute therefor the words "during any month, except April, May, and June."
- 6. At the end of § 961.1 (a) (6) add the words "or who receive milk from producers regardless of where disposed."
- 7. Reconsider § 961.3 (c) (5).
 8. Delete § 961.3 (c) (1), (2), and (3) and substitute therefor the following:
- § 961.3 (c) Transfers of milk. (1) Milk or skim milk received at a plant from another plant shall be allocated to Class I: Provided, That such milk may be allocated to Class II up to the total amount of Class II milk used by the receiving handler in all of his plants at which milk is received from producers if the receiving handler and the selling handler submit to the market administrator a written statement requesting such an allocation, after deduction of any milk pursuant to subparagraph. (2) of this paragraph.

- (2) Milk or skim milk received at a plant at which milk is received from producers from a plant at which no milk is received from producers shall be allocated to each class in proportion to the class utilization of all milk received from producers and from plants at which no milk is received from producers by the respective handler at all of his plants at which milk is received from producers during the month: *Provided*, That the receiving handler may allocate more than a prorata share of such milk received to Class II.
- 9. In § 961.3 (c) (4) change the figure "400-miles" to "125 miles."
 10. In lieu of the provisions in § 961.4
- 10. In lieu of the provisions in § 961.4 (c) (1), suspended on June 15, 1943, insert the following:

For purposes of this subparagraph the Class I milk disposed of from any plant located less than 31 miles from the City Hall in Philadelphia shall be considered to have been first, that milk received direct from producers' farms; second, that milk received from plants within 31 miles of the City Hall in Philadelphia; and then that milk which was shipped from the nearest plant 31 miles and farther from the City Hall in Philadelphia: And provided, That Class I milk moved directly from a plant at which milk is received from producers to a plant at which no milk is received from producers, both of which are outside the marketing area, and Class I milk distributed for fluid consumption from a plant at which milk is received from producers shall be allocated to the plant at which it is received from producers.

- 11. Delete § 961.4 (d).
- 12. Delete § 961.8 (f).
- 13. Add the following new sections:

§ 961.14 Emergency milk committee. Handlers and producers may select an "Emergency Milk Committee" for the purpose of supervising the purchase and allocation among handlers of emergency milk for all handlers desiring to purchase their emergency milk through a single importing agency. The market administrator may be a member of such committee and may act as chairman thereof. Notice of all meetings of the committee shall be given to the War Food Administrator and such representative or representatives as the War Food Administrator may designate shall be permitted to attend and take part in such meetings.

§ 961.15 Agents. The War Food Administrator may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

§ 961.16 Liability. The liability of handlers hereunder is several and not joint and no handler shall be liable for the default of any other handlers.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: March 17, 1944.

THOMAS J. FLAVIN, Assistant to the War Food Administrator.

[F. R. Doc. 44-3749; Filed, March 17, 1944; 11:19 a. m.]

WAR PRODUCTION BOARD.

CHICAGO NOVELTY COMPANY, INC.
CONSENT ORDER

The Chicago Novelty Company, Inc., is engaged in the mail order business at 1314 Newport Avenue, Chicago, Illinois. Among other things, it sells tubes and repair parts for radios and coin operated amusement machines, and also repairs and rebuilds coin operated amusement devices. During August and September of 1943, it sold considerable quantities of radio tubes, and in about one-half of these cases the sales were not to fill preferred orders, nor orders bearing a preference rating, neither did it receive suppliers' certificates or worn out tubes. The sales were therefore in violation of General Limitation Order L-265. The Chicago Novelty Company, Inc., admits these violations and that it was aware of the fact that there were restrictions on the purchase and sale of electronic equipment, and it does not elect to interpose any defense to the violations. It has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Chicago Novelty Company, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner: It is hereby ordered, That:

(a) Chicago Novelty Company, Inc., its successors and assigns, shall not sell, assign, transfer or deliver, during any calendar month, more than one-sixth the electronic tubes sold by it during the entire fourth calendar quarter of 1943.

(b) Nothing contained in this order shall be deemed to relieve the Chicago Novelty Company, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of March 16, 1944, and shall expire on May 31, 1944.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD, 'By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3726; Filed, March 16, 1944; 4:43 p. m.] [Certificate 200]

LOCAL CARRIERS OF PROPERTY

APPROVAL OF RECOMMENDATION FOR JOINT ACTION PLANS

The ATTORNEY GENERAL:

I submit a recommendation of the Director of the Office of Defense Transportation concerning the formulation of certain joint action plans by local carriers of property by commercial motor vehicle.¹

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such recommendation or any order or direction issued by the Office of Defense Transportation pursuant thereto requiring any of the joint actions specified therein is requisite to the prosecution of the war.

Donald M. Nelson, Chairman.

MARCH 14, 1944.

[F. R. Doc. 44-3746; Filed, March 17, 1944; 10:57 a. m.]

¹ Supra.